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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

54 & 55 VICTORIÆ, 1890-91.

VOL. CCCLV.

COMPRISING THE PERIOD FROM

THE FIRST DAY OF JULY, 1891,

TO

THE TWENTY-FIRST DAY OF JULY, 1891.

Seventh Volume of the Session.

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HANSARD'S PARLIAMENTARY DEBATES,

IN THE

Sixth Session OF THE *Twenty-Fourth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland* APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SEVENTH VOLUME OF SESSION 1890-91.

HOUSE OF COMMONS,

Wednesday, 1st July, 1891.

ORDERS OF THE DAY.

ELEMENTARY EDUCATION BILL.

(No. 355.)

Considered in Committee.

(In the Committee.)

Clause 1.

(12.20.) CAPTAIN BETHELL (York, E.R., Holderness), (for Mr. JENNINGS, Stockport), moved to leave out, in line 11, "average attendance," and insert "on the total attendance." The hon. Member said that after the concession which the Government had made last night he would not press the Amendment to a Division.

Amendment proposed, in page 1, line 11, to leave out "in average attendance," and insert "on the total attendance."

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. COGHILL (Newcastle-under-Lyme): I have upon the Paper an Amendment to the same effect, and I think the Government might make some concession to the denominational schools in this respect, especially in the case of schools which are largely attended by half-timers. I may mention one case in which the proposal of the Government will result in a loss of 17s. 6d. per week, or £40 for the whole year; and I think that after the concessions which were made last night a further concession might be made by the Government. I am afraid that if some concession is not made it will result in the closing of many voluntary schools.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I must really say that it is not in the power of the Government to comply with this Amendment. The question is one which has been under our careful consideration; and we have

gone as far as we possibly can in order to meet the demands of hon. Members. I trust, therefore, that the Amendment will not be pressed.

(12.25.) MR. TOMLINSON (Preston): I am afraid that the wording of this clause will not carry out the intentions of the Government; at any rate, the point is one which ought to be considered, especially in regard to half-timers. In the case of my own constituency—that of Preston—there are 1,700 half-timers who at present pay the full school fee; but they will be unable to earn out of the grant more than 7s. 6d., being a loss of 2s. 6d. per head. What I want to know is, whether the Government propose to give any assistance towards making up the deficit? This is a Bill which gives to the half-timer no advantage whatever. The loss to the schools in Preston by retaining the words "in average attendance" would be £434 15s. I do not see how the financial arrangements of the schools are to be carried on.

THE CHAIRMAN: I do not think that the question into which the hon. Member is entering is pertinent to the Amendment before the Committee.

MR. TOMLINSON: I was only anxious to point out that this state of circumstances may arise.

*(12.30.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The point raised by the Amendment as to the average attendance is, I think, an important one; but I wish to point out that if the average attendance is struck out we shall have to fall back upon the actual attendances upon the books, which would make the working of the Bill utterly impracticable. We cannot certainly accept any Amendment to strike out the word "average." The hon. Member for Preston (Mr. Tomlinson) has referred to the difficulty in the case of the half-timers; but I do not think it is strictly in order to refer to that matter now. It will have to be raised hereafter, and I think it will be better to deal with the question on its merits when the proper time arrives.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I presume, after the remarks of the right hon. Gentleman, that the Government are not prepared to accept this Amendment, but I think I ought to explain that the reason why it has been proposed is that an impression has got abroad that the grant of the Government is equivalent to 3d. per week. It is nothing like 3d. per week; it is much more like 2¼d. or 2½d. But as the question of half-timers is to be raised later on I will not at present enter into the question.

MR. ISAACSON (Tower Hamlets, Stepney): As the question will come before the Committee later on I hope the Amendment will be withdrawn.

Amendment, by leave, withdrawn.

SIR G. STOKES (Cambridge University): I wish to point out, in regard to average attendance, that there is a time of year when the attendance is naturally slack. If the average is taken upon the whole time the school is open, there is manifestly a temptation to the managers to shut up the school when the attendance is slack, whereas if the average is taken for 40 weeks it would be perfectly fair to all, and there would be no temptation to the managers to close a school during the time that the attendance is slack.

Amendment proposed, in page 1, line 11, after the word "attendance," to insert the words "during forty weeks of the school year."—(*Sir G. Stokes.*)

Question proposed, "That those word be there inserted."

*SIR W. HART DYKE: The Government cannot accept this Amendment. I am afraid that it would lead us into a considerable entanglement if we were to insert these words. All that we desire is to secure the efficiency of the school.

Question put, and negatived.

*(12.36.) MR. S. SMITH (Flintshire): I have now to move the omission, in lines 12 and 13, of the words "not being an evening school." My object in moving this Amendment is to bring evening schools within the operation of the Bill. There has been a strong feeling expressed on all sides of the House as to the importance of the school life of the children. Two years ago I introduced a Resolution into this House in favour of evening schools. My Motion was discussed at great length and with a general feeling of sympathy

from every part of the House. Indeed, there was an unanimous feeling in favour of the importance of evening schools as continuation schools. The result of the present system is that numbers of children after school hours swarm the streets, and become what are called "street arabs." There is nothing like the same state of things in any other country, and as we all know it is these street arabs who recruit the criminal class. The cause of that is, I think, our inefficient system of evening schools, which is very different from that adopted in Germany and Switzerland.

THE CHAIRMAN: I wish to point out to the hon. Member that only those evening schools are admissible under this Bill which are public elementary schools, and that it is not competent to enter into an argument as to the general question of establishing evening schools.

*MR. S. SMITH: I will confine myself, Sir, to the line which you have indicated. Last year there werelin attendance at the evening schools 64,000 children; of these 51,000 were qualified by attendance for examination, and there was an average attendance of 43,000, as against 4,800,000 on the register for day schools, or scarcely 1 per cent. Ten shillings per head on 43,000 is only £21,500; but all we ask for is 5s. per head, which will cost a trifle over £10,000. Taking into consideration that the Government yesterday accepted Amendments which involve an additional cost of £200,000 or £300,000, I do not think they ought to object to this additional £10,000 for a most important and valuable work. Evening schools are conducted under very great difficulties; it is most difficult to keep them up, and, without a grant, it will be impossible for them to make both ends meet. Under these circumstances, I do not think that a special grant ought to be grudged.

Amendment proposed, in page 1, lines 12 and 13, to leave out the words "(not being an evening school)."—(*Mr. Samuel Smith.*)

Question proposed, "That the words '(not being an evening school)' stand part of the Clause."

*(12.40.) SIR W. HART DYKE: I think it must be perfectly obvious, after the discussion which we have had already, that it is altogether hopeless to ask the Government to extend the provisions of the Bill to evening schools. It is a most important point, indeed, as to whether the Amendment is in order; but I presume that it may be regarded as regular, seeing that we include scholars in certain standards who attend evening schools. At the same time, I would ask the Committee to deal with the Amendment at once, and pass on to other Amendments which are really more important. I will not weary the Committee by going into the various grants which have been given to evening schools, but I will remind them that we are imposing heavy burdens for the purpose of encouraging elementary schools; and when the hon. Gentleman pleads for continuation schools, I can only assure him that when I submit the Education Estimates he will find that under the new Code we are making giant strides in this direction. Her Majesty's Government have made concessions which involve a large expenditure of money, in order to meet the demands which hon. Members have made, but I think it is somewhat hard that, having made these concessions, we should be pressed over and over again to make more. I hope that we shall be allowed to proceed to matters that are more intimately connected with the provisions of the Bill.

(12.43.) MR. A. DYKE ACLAND (York, W.R., Rotherham): The right hon. Gentleman expresses a wish that we should pass at once to the next part of the Bill, but I think we ought to be allowed to plead the cause of evening schools. We are now, in reality, imposing a barrier against the use of night schools, because for the first time we are requiring that a fee shall be paid. Taking into account the small number of children we have hitherto been able to draw into evening schools, I think this is a question which deserves serious consideration, especially if evening schools are to flourish as they ought to flourish.

*MR. G. OSBORNE MORGAN (Denbighshire, E.): I am unwilling to retard the progress of this Bill, but I think this is an important matter which deserves serious consideration. The Vice President of the Council says that the Government are making gigantic strides in the direction of assisting evening schools.

*Sir W. HART DYKE: What I said was that when the Education Estimates are brought forward it will be seen that the evening school question is making giant strides.

*Mr. G. OSBORNE MORGAN: I am very glad to hear it, and I think the admission shows what a very deserving class these schools are. My own opinion is that nothing has done more good than the evening schools. But what I wish to draw attention to is the result which was arrived at yesterday, in changing the age to which education is to extend from 14 to 15. We are grateful to the right hon. Gentleman for having made that concession. But it is quite clear that in most cases it is impossible for children after the age of 14 to attend any but evening schools, for the simple reason that they are at work during the day. The amount now asked for is really very small—only £10,000—and I trust that the Government, seeing the importance of the matter, will concede it.

*(12.48.) Mr. W. H. SMITH: I quite understand and appreciate the sympathy which hon. Gentlemen feel in regard to the encouragement of night schools, but, at the same time, I wish to point out that there is a limit beyond which the Government cannot go. We find it impossible to contribute out of the Imperial Exchequer more money than has already been appropriated, and the argument that as concessions have been made more concessions ought to be made only indicates how extremely unwise it is for the Government to have made any concessions at all. For my own part, I think it is unreasonable to ask the State to pay the fees of boys and young men who are earning money, and are in a position to pay for their own education. We cannot accept the Amendment, but must adhere to the concessions which have already been made.

(12.50.) Mr. MUNDELLA (Sheffield, Brightside): I gather from the remarks of the right hon. Gentleman that if we press for further concessions the Government will drop the Bill. I have no desire, nor have my hon. Friends, to press the Government unduly; but really when the right hon. Gentleman says, "We cannot afford," and that "our financial resources allow us to go no further," I wish to remind him that under certain circumstances the attendance of a child at a night school is made compulsory. If the Government insist upon resisting this Amendment I hope my hon. Friend will allow us to make our protest at once, so that we may proceed with the other provisions of the Bill. I warn the Government that the time will come when they will have to do this. It is one of the inevitable consequences of having taken the first step. The time cannot be long delayed.

*Mr. S. SMITH: I am quite ready to accept the suggestion of the First Lord of the Treasury that there should be a limit put upon the age, and that the age of 18 should be fixed.

*Mr. W. H. SMITH: I made no such suggestion.

*Mr. S. SMITH: The suggestion of the right hon. Gentleman was that young men who were earning a living might avail themselves of the privilege. That is not my object. My object is to get children of 11 and 12, who have reached the standard which enables them to leave the day schools, to enter the night schools in order to continue their education.

*(12.55.) Mr. M'LAREN (Cheshire, Crewe): I desire to say a word in support of the Amendment, namely, that until evening schools are made compulsory we ought to do something to encourage the children to attend them. So many children after leaving school forget what they have learnt, that we should get far better value for the money we are spending if we go a little further and make evening elementary schools also free, and thus induce children to continue their education.

Mr. ARTHUR WILLIAMS (Glamorgan, S.) supported the Amendment; but the hon. Member's remarks, owing to loud calls for a Division were inaudible.

*Mr. DIXON (Birmingham, Edgbaston): I am extremely anxious for the maintenance of evening schools, but I cannot support the Amendment, because I think that the Government have gone as far as they can be expected to go, and that it is unwise to ask them to incur additional expenditure.

*Mr. ROBY (Lancashire, S.E., Eccles): I think there is some misapprehension as to the amount of money involved. The entire cost would be

somewhere about £2,500, and I would ask if it is worth while for such a sum to prevent children who have left school at an early age from trying to keep up their education for a short time longer.

SIR H. ROSCOE (Manchester, S.): The sum involved is extremely small, but the amount of good it may do is very great. We all know the enormous advantage it is for children to continue their education after they leave school at an early age, especially where technical instruction is concerned. The cost is an extremely small matter, but the question itself is a most important one, and I trust the Government will re-consider their decision.

(1.0.) The Committee divided:—Ayes 99; Noes 61.—(Div. List, No. 314.)

*(1.10.) MR. TALBOT (Oxford University): I beg to move the Amendment standing in my name, which is intended to make it clear that managers of schools are free to take or to refuse the fee grant. I believe it will meet with no objection from my right hon. Friend.

Amendment proposed, in page 1, line 13, after "evening school," to insert "the managers of which are willing to receive the same and."—(*Mr. Talbot.*)

*SIR W. HART DYKE: I think there can be no doubt that if Sections 1 and 2 are accurately read and understood they will be found to cover the objection of this Amendment. But I can see no possible objection to the proposal, especially as the insertion of the words proposed by my hon. Friend will more clearly emphasise our meaning.

Amendment agreed to.

MR. T. ELLIS (Merionethshire): I now beg to move the Amendment standing in my name, namely, to insert after the word "to," in line 14, the words "management and." The three chief points to which I wish to call attention are these: First of all, the audit of accounts. The hon. Members for Rotherham and Staffordshire have Amendments relating to an independent audit of accounts preceding the free grant. But I have no doubt the right hon. Gentleman the Vice President of the Council will accept my Amendment. The next point is that the accounts of the schools shall be rendered to the local education authorities, and that copies of those accounts may be had by any persons interested in the schools. The third condition is one which is also embodied in several Amendments which appear upon the Paper. The first of these Amendments is that which appears in the name of the hon. Member for Somersetshire (Mr. Hobhouse), and the words of that Amendment have pretty much the same effect as mine, namely, that in cases where the fee grant exceeds the present fees of the schools the surplus shall be used to promote increased efficiency. I think it would be scandalous if some restrictions were not laid down to insure that the expenditure of the surplus money should be devoted to increasing the efficiency of the schools, because there can be no doubt whatever that increased efficiency is needed. This has been admitted over and over again by hon. and right hon. Gentlemen on the opposite side of the House. I think I have on these three points made out my case, and I hope the Amendment will be accepted by the Committee.

Amendment proposed, in page 1, line 14, after the word "to," to insert the words "management and."—(*Mr. T. Ellis.*)

Question proposed, "That those words be there inserted."

THE CHAIRMAN: I must point out to the hon. Member and the Committee that if this Amendment is accepted it will have the effect of shutting out the other Amendments on the Paper raising questions as to management.

*(1.17.) SIR W. HART DYKE: I am not prepared to accept the words proposed by the hon. Member, and as you, Sir, have indicated the position in which the Committee will be left should this Amendment be accepted, I do not think it necessary to argue the different points that may be urged on the questions involved. I would merely point out that this is a Bill for the relief of the parents from the payment of school fees, and I do not at the present moment propose further to discuss the merits of this question beyond pointing out that, if accepted, it will shut out a further Amendment enabling the surplus beyond the present fees to be devoted to increasing the efficiency of the schools.

MR. ARTHUR WILLIAMS: I would point out to the Committee that if the words "as to fees" were omitted the difficulty might be met.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I hope the hon. Member will not press his Amendment, because if he does the other Amendments, as I understand your ruling, Mr. Courtney, may be prevented from being put. The right hon. Gentleman the Vice President of the Council desired that this Amendment should not be pressed, because it would shut out another Amendment, by which the efficiency of the schools would be promoted by the application of any surplus over and above the present fees. We hail that remark of the right hon. Gentleman because we regard it as an indication that he will at least give his serious consideration to that proposal. I hope, therefore, that my hon. Friend will not press his Amendment.

*(1.20). MR. G. OSBORNE MORGAN: I should like to obtain from the Chairman some definite ruling as to whether it will be competent to hon. Members to move the further Amendments upon the Paper if this Amendment should be agreed to?

THE CHAIRMAN: I thought I had already explained my view upon the matter with sufficient clearness. I had pointed out that if this Amendment were carried it would have the effect of preventing the discussion of other Amendments which are upon the Paper.

MR. T. ELLIS: Under the circumstances, I will ask leave of the Committee to withdraw my Amendment.

THE CHAIRMAN: The question is that leave be given to withdraw this Amendment. [*Cries of* "No!"]

*MR. HOBHOUSE (Somersetshire): If hon. Members opposite refuse to allow the Amendment to be withdrawn it will, under the Chairman's ruling, become necessary to discuss all the points involved in this Amendment, and those which may be shut out by its adoption. It certainly is somewhat inconvenient that upon words of this general character we should be compelled to discuss the questions raised by two or three other Amendments

MR. MUNDELLA: I hope I may be allowed to appeal to hon. Members opposite to allow this Amendment to be withdrawn. Of course, if they insist on this Amendment being put, we shall feel bound to raise the whole question arising upon it and the other Amendments which it is intended subsequently to introduce. Do the Government intend to shut out the discussion of the other Amendments?

*SIR W. HART DYKE: I understand that hon. Members are desirous of arguing the points arising on the other Amendments, and I think, therefore, it would be well if this Amendment were allowed to be withdrawn.

SIR L. PLAYFAIR (Leeds, S.): As I understand the matter, if hon. Members opposite persist in forcing on this Amendment, it will involve the shutting out of all the subsequent Amendments which involve the question of management, consequently it will be necessary for us to enter into a general discussion of the whole question of management on this Amendment.

*MR. W. H. SMITH: I understand that you, Mr. Courtney, hold that the Amendment before the Committee if carried will supersede the other Amendments relating to the same subject. I think, therefore, it would be advisable if this Amendment were allowed to be withdrawn.

THE CHAIRMAN: I think that upon the whole that will be the better course.

Amendment, by leave, withdrawn.

(1.25.) MR. JENNINGS (Stockport): I have now to move the Amendment I have placed upon the Paper. I think the Committee will see the desirability of accepting this proposal, as it is inevitable that unless the principle it asserts is adopted, the half-timers in the schools will be placed at great disadvantage.

Amendment proposed,

In page 1, line 15, after "Act," to insert, "Where there are children attending school only half time, the average attendance of such children shall, for claiming the fee grant, be calculated in the same manner as for the ordinary grant, that is to say, an attendance of two consecutive hours by a half-time scholar shall be reckoned as an attendance and a half."—(*Mr. Jennings.*)

Question proposed, "That those words be there inserted."

*SIR W. HART DYKE: I may inform the hon. Member that it is my intention

at a later stage to introduce a clause which will place the half-timers on the same basis in regard to the fee grant as that upon which they stand in regard to the ordinary annual grant. Undoubtedly as the Bill now stands my hon. Friend has hit a blot. I admit that fully, but my Amendment will, I think, be found to answer the object the hon. Member has in view.

VISCOUNT CRANBORNE: I desire to express my thanks to the right hon. Gentleman for the Amendment he has indicated, because this half-time question is one of great importance to the schools of the North of England. After this concession I can hardly ask the Government to do more; still I hope they will consider the question with the view of carrying the principle a little further. The half-time schools in the North are as efficient as the full-time schools, and though the children attend only a part of the day, the results achieved are as good as those obtained in the full-time schools. If the average attendance is calculated on the number of days the school is opened, instead of on the times of meeting, the half-time schools will be placed in the same position as those of full time. As the Bill stands, and allowing for the concession just made by the right hon. Gentleman, the half-time schools will sustain heavy loss, and even if they are treated as full-time schools, which on all rational grounds ought to be the case, they will still suffer an appreciable loss.

MR. MUNDELLA: I understand from the remarks made by the First Lord of the Treasury a short time previously, that the Government have made up their minds that they cannot consent to any further extension of the grant, but practically this Amendment involves a large extension of the grant to the half-time schools, in the North of England chiefly, schools which are the worst supported and the worst staffed in England, and at which the children pay most extravagantly. I cannot, in the circumstances, join in pressing this demand on the Government.

MR. TOMLINSON: I must protest against the remarks made by the right hon. Gentleman in reference to the half-time schools in the north. They are by no means the worst schools in England; many of them are excellent schools, and produce good results.

MR. JENNINGS: I think the explanation offered by the right hon. Gentleman the Vice President of the Council is perfectly satisfactory, and in order to give him the opportunity of bringing forward the Amendment he has indicated I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

*(1.33.) MR. HOBHOUSE: I beg to move the Amendment which appears on the Paper in my name. Its object is a very simple one, but, at the same time, it is of considerable importance. It is to secure in all cases the appropriation of the surplus which will exist in many schools, when the fee grant is paid, to proper educational purposes, and especially to ensure the advancement of education under the New Code in the voluntary schools of the country. This Bill, on the face of it, does very little directly to advance education, although, no doubt, indirectly it may do a great deal. Many of us would be better satisfied with the measure if it bore on the face of it some provision securing greater efficiency in return for the benefits conferred by the grant. In many of the schools there will be a large surplus. There will be a sum amounting to something like 5s. or 6s. per head in the cheapest schools of the country, and I am informed that in the county I have the honour to represent the average amount of surplus will be 4s. per head. What is to become of all this money? Surely it is a matter for the earnest consideration of this House how we are to expend it. Ought we not to make sure that in granting so large an amount we are really securing the permanent advancement of efficient education? This question was raised by several speakers on the Second Reading of the Bill, and I listened with great attention to what was said by the right hon. Gentleman, the Vice President of the Council, on this subject. I do not think that what he said was a complete answer to the arguments advanced. He told us it had been said that in some cases, such as those of the Welsh schools, the managers might even put some of the surplus into their own pockets, and

he met that argument effectively by referring the House to the 20th Section of the Act, 1876, under which it was quite clear that no portion of this fee grant would be allowed to go into the managers' pockets. That is true. But, nevertheless, I think there is great danger in the case of those schools which are being starved at the present moment, that the surplus will go into the pockets of the subscribers or into the pockets of the ratepayers. No doubt the subscribers will be very much induced, by the windfall coming to the managers under this Bill, to slacken their subscriptions, and in many parishes where School Boards are conducted on economical principles the ratepayers will insist on the reduction of the rates in consideration of the increased grant, and thus one of the results will be that the poorer schools, both Board and voluntary, will continue to be half-starved at the expense of efficiency. We were further told by the right hon. Gentleman that the requirements of the New Code are such that the whole of the surplus will be absorbed. I quite admit that where the School Board or managers are anxious to do their duty and to increase the efficiency of the schools up to the full extent of the resources that will be the case. But even there I should be glad to have the provision I now propose, in order to make it perfectly clear to the subscribers and the ratepayers that this is what they are bound to do. As the Bill at present stands, however, there is no security, there is not even an indication of the way in which the surplus grant is to be expended. I cannot help thinking that if we are to secure the whole of this money as an additional educational fund throughout the country, we ought to have some provision like that of my Amendment on the face of the Bill. I wish also to say a word or two as to the special advantages that will be derived from this provision by the voluntary schools. The existence of those schools depends on their keeping up a liberal amount of subscriptions. And I think it a most short-sighted policy for the friends of voluntary schools to look merely at the relief which will be afforded to subscribers by this Bill, and not to consider the position in which those schools will be put in the future if the subscribers are induced by the new grant to slacken their subscriptions. My own county of Somerset stands in a peculiarly favourable position in this respect. Our fees average about 6s. per head, and our subscriptions nearly 13s. per head, and I am bound to state that some of my friends think the subscriptions so high that they might be reduced without danger to the schools. I do not think so myself. There are other parts of the country in which a different state of things prevails, and where the subscriptions only amount to 3s., 5s., 6s., 7s., or 8s. per head. I cannot help thinking that if my Amendment is not accepted the subscribers generally throughout the country will be tempted to diminish their exertions, so that their schools will ultimately be placed in a very perilous position. A provision of this kind will strengthen the hands of the good managers and force the hands of the bad managers of the voluntary schools, especially in the rural districts, and thus secure what must be one of the main objects of the Education Department. As to the special form of my clause, that is a comparatively immaterial matter. It provides that the surplus shall be spent in the advancement of education, and the improvement of the schools, and I am quite sure that that is an object which is desired by the right hon. Gentleman. The main objects of the new expenditure will be the improvement of the schools, the provision of special apparatus, the increase of the staff, and the furnishing of means for technical instruction. I wish to point out to the right hon. Gentleman that this is a critical moment in the history of elementary education. The right hon. Gentleman knows what a wonderful effect was produced by the optional clause in an Act of Parliament inserted last year by my hon. Friend the Member for Rotherham, and that under that clause of the Local Taxation Act an immense sum has been voted for the promotion of the objects which, I believe, will confer the greatest benefit upon the country. Great difficulties still exist in carrying out a proper system of technical education, owing to the want of a proper foundation being laid in the elementary schools of the country districts. I believe that the adoption of my Amendment might result in much being

done to supply this deficiency. In conclusion, I would call attention to the elasticity of my Amendment. Where the schools are already so efficient that not much more expenditure is required, there will be no necessity for the appropriation of the surplus. We have heard of schools in Birmingham which are supposed to be absolutely efficient. I do not know whether that is so or not, but if there are cases in which the extra money cannot be usefully expended, the Education Department will have power to release such schools from the operation of the clause. Again, where it is desirable to expend money in objects not specifically mentioned in the clause, or in new objects, the Education Department will have power to sanction the appropriation of money to such purposes. I confidently recommend my Amendment to the House, as tending to maintain the school resources and to keep the managers up to the mark, while it will indirectly in the future do much towards helping to maintain the voluntary school system of the country.

Amendment proposed,

In page 1, line 15, after "Act" to insert, "Provided that in the case of any school where the fee grant exceeds the amount received in fees during the school year ended last before the first day of January, one thousand eight hundred and ninety-one, an annual sum equal to such excess shall (unless the Education Department certify that such expenditure is not necessary or expedient), be expended by the School Board or managers of such school in one or more of the ways following (that is to say): on rebuilding, enlargement, or improvement of the school buildings, the provision of school books, plant, and apparatus, the payment of additional staff or of special teachers for drawing, cookery, laundry work, science, drill, or manual instruction, or for any other proper educational purpose from time to time sanctioned by the Education Department."—(*Mr. Hobhouse.*)

Question proposed, "That those words be there inserted."

*(1.46.) MR. GIBBS (London): I have listened with great attention to the speech of the Mover of this Amendment, but I cannot say it has removed in any degree my objections to it. I regard it as superfluous because, as far as I can understand, its object is met in another way, and I also regard it as vexatious, because it forces the Education Department to enter into the consideration of a number of small details, from which it might well be relieved. All the Education Department ought to do is to look at the general efficiency of the Education Department over which it presides. Its main care is to see that the educational expenditure is properly and efficiently applied. The duty of seeing whether schools are properly administered lies upon the Inspectors, and it would be absurd to require the Education Department to consider every small surplus in order to see what ought to be done with it. The great consideration that seems to move hon. Gentlemen opposite is the fear lest any money should go back into the pockets of the subscribers. Why should it not? What evil have the subscribers done that the beneficence they have shown should be converted into what mediæval Sovereigns call a benevolence—that is to say, a voluntary tax which they must pay? Why do the subscribers to the voluntary schools tax themselves. They do this for three reasons—first, to increase the efficiency of the education given; next, to lighten the burden falling upon the poor; and, thirdly, to secure that efficient education shall also be a religious education. Who are they who have done this? They are not a definite or permanent body which can be perpetually taxed. The mover of the Amendment said the whole incomes of the schools ought to be appropriated to education. But what is the income of the schools? It is a thing on which you cannot count. It is in part the contribution of the shifting body of subscribers which is here to-day and gone to-morrow. Why are we to say they should be continually taxed by the operation of law? They have willingly taxed themselves, and will continue to do so. I do not at all disagree with the hon. Gentleman opposite when he contends that any surplus there may be should be devoted to the purposes of education; but, first of all, it must be a surplus on the real income. Those who have hitherto contributed to voluntary schools will not wish to be relieved until the education provided in those schools is efficient; but when the education is efficient, why should they continue to provide unnecessary funds? I have no doubt that hon. Members on the other side of the House rather wish to get rid of voluntary schools, because their destruction must lead to School

Boards. I detest School Boards and all their works if they are to supplant the voluntary schools. If the latter are inefficient, then I would welcome School Boards, because the people must be properly educated. What they ought to do is to give liberally to relieve the poor from that which presses hardly upon them, and to take care that the means of education are as efficient as possible, the schoolhouses good, the attendance sufficient, and the teachers what they ought to be. Any arbitrary attempt to put the hands of Parliament on these surpluses would tend to diminish the money that will be available for education. I should like to tell the Committee how this Amendment will affect the two parishes in Hertfordshire with which I am connected. In the parish of Aldenham the fees are for one child 3d., for two children 3d., and 2d. each for three or more. The average, therefore, is 2½d., so that they would be in the happy position of profiting by the 10s. grant. The schoolhouses, five in number, are very good. They have an endowment of £100 from the Platt Charity a year, of which £30 a year is put aside for the maintenance of the buildings.

MR. MUNDELLA: The fees were £70 19s. 11d.

*MR. GIBBS: And the subscription about £100.

MR. MUNDELLA: £38 5s.

*MR. GIBBS: I think I ought to know the amount. They were about £100.

MR. MUNDELLA: The hon. Member does not seem to have before him the right figures. According to the last published return, the subscriptions were £38 5s.; the pence, £70 19s.; and there was an endowment of £76.

*MR. GIBBS: I still maintain that the subscriptions last year were £101.

MR. MUNDELLA: The return from which I quoted applied to the year before last.

*MR. GIBBS: Last year the subscriptions amounted to £101. The Government grant in the last three years has been £251, £262, and £280, and it seems to show that the schools are maintained in an efficient state. The average number on the books is 390; and the fees average 9s. 2d. for 44 weeks' schooling. The small surplus which the fee grant will give the managers ought to be left to them to spend in the way they think best for the education of the parish, and I do not see why they should not, if they wish, economise one year and use the surplus another year. The circumstances are about the same in an adjoining parish. [*Cries of* "Name!"] I will not give the name, and then I cannot be contradicted. The school pence in the parish last year amounted to £59, the subscriptions to £50 17s., and the fee grant will be £62 10s. Therefore in this parish the surplus will be £2 10s. when the new grant is substituted for fees; and the managers will have to sit solemnly to determine what is to be done with this surplus if the Amendment is carried. I will not say anything now about the religious difficulty except to remark that in this parish no such difficulty at all has arisen as to the Conscience Clause——

THE CHAIRMAN: Order, order!

*MR. GIBBS: I apologise for transgressing the rules. I will say no more on the point. I hope Parliament will not enter into these details, but will leave managers to do what they deem to be best in the interest of education. The less interference we have in these small matters the better it will be for the schools. I thank the House for extending to me that indulgence it always accords to new Members.

*(2.5.) MR. W. H. SMITH: I wish to make an appeal to the Committee. It would be inconvenient and quite opposed to the plan of the Bill to introduce this Amendment into the clause. I recognise the full right of the House to consider the main question raised, which I understand to be the application of any surplus for the benefit of a school, and to secure that the schools shall be really efficient. I think it will be more convenient to consider that question on the subsequent proposals of the right hon. Members for Leeds and the Brightside Division of Sheffield. The present Amendment is encumbered with details which would make it difficult to carry out; and it would, therefore, be better to consider the question on the later Amendments.

(2.7.) SIR H. JAMES (Bury, Lancashire): I wish to join in the request to the hon. Member to withdraw the present Amendment, reserving his right, if he thinks fit, to bring up a

new clause on the subject. I must, however, protest against a doctrine that has just been laid down by the hon. Member for the City of London. I cannot conceive any argument more disastrous to voluntary schools than the argument that the Bill is a Bill for the relief of subscribers. It is not for that reason that the Bill has been accepted by the House. The supporters of voluntary schools are prepared not to diminish, but to increase, their subscriptions, and it is not likely the taxpayers of this country will consent to pay £2,000,000 a year simply to relieve the supporters of voluntary schools of the necessity of continuing their subscriptions. I do hope that it will not be thrown in our faces that the supporters of voluntary schools accept the Bill as one of relief to themselves. That, I think, is a most unhapy argument.

*MR. HOBHOUSE: A strong appeal has been made to me, but I think I have a right to complain of the manner in which I have been treated. This is the first speech I have made on the Bill, and, as I was anxious to economise the time of the Government, I put my arguments as briefly as possible. Several weeks ago I laid the matter before the Vice President of the Council, who, I understood, agreed to consider the matter, yet I am to have no explanation of the views of the Government. No indication is given whether the Government intend to accept or reject the principle embodied in the clause, and we do not know when the matter can be again discussed.

*SIR W. HART DYKE: The hon. Gentleman has made an appeal to me. When he showed me the Amendment some time ago, I made a careful note of the arguments he advanced in support of it. I did not, however, give any pledge, but only said that the subject was a fair one for discussion. I was prepared to go minutely into the point; but the leader of the House, in the interest of the progress of the Bill, intervened and shut out any further remarks I might have made. The question, however, will be more fully discussed on subsequent Amendments. I may say I am not prepared to accept this Amendment.

*MR. W. H. SMITH: As I said just now, the Government recognise it is only reasonable that the House should have an opportunity of discussing this question, and that can be done best on the Amendments of the right hon. Gentlemen the Members for Leeds and Sheffield.

*MR. HENEAGE (Great Grimsby): I appeal to my hon. Friend to withdraw his Amendment. The matter is too complex to be discussed at this stage, and my hon. Friend will not be placed at any disadvantage by adopting this course, and bringing up his Amendment as an alternative new clause, to be discussed with others on the Paper.

*MR. HOBHOUSE: In deference to the right hon. Gentleman, I ask leave to withdraw the Amendment. At the same time, I think the Government ought to have replied to me on the subject.

Amendment, by leave, withdrawn.

(2.15.) MR. SINCLAIR (Falkirk, &c.): I wish to move the Amendment which stands in my name.

THE CHAIRMAN: Order, order! The words at the beginning of the Amendment, "for these and all other purposes," are quite inadmissible. The Amendment must be restricted to the purposes of this Bill.

MR. SINCLAIR: I will adopt your suggestion, Sir, and substitute the words "for any purposes connected with this Bill and other Educational Acts."

THE CHAIRMAN: Order, order!

MR. SINCLAIR: Very well, Sir, I will alter the words so as to run "for the purposes of this Bill." My object is to equalise the fees payable throughout a child's educational life, and to enable the managers of both voluntary and Board schools in which fees are payable to charge the same fee for infants as they can for more advanced pupils. Let me give one case as an illustration. There is a school with three departments. For the infants 3d. a week is now charged, for the juniors 4d., and for the seniors 6d. Under this Bill the infants will be educated free, the juniors will have to pay 1d., and the seniors 3d.; but I want to enable the managers, if they think fit, to make a uniform charge in all departments. I desire to take away all inducement to parents to withdraw their

children from school in consequence of the fees being increased as they grow older. These higher fees ought not to be imposed at the time the child becomes more costly to feed and clothe, and, therefore, I would give the school managers the power to charge a uniform fee in all classes. This question affects Board and voluntary schools alike, and I trust the Government will accept the Amendment.

Amendment proposed,

In page 1, line 15, after "Act," to insert "and for the purposes of this Act any public elementary school in which there is more than one department may, at the option of the managers of said school, mean an 'elementary school,' notwithstanding the definition given in Clause one of 'The Education Act, 1870,' whereby each separate department of a school is defined as an 'elementary school.'"—(*Mr. Sinclair.*)

Question proposed, "That those words be there inserted."

*(2.20.) SIR W. HART DYKE: I think I can shortly show my hon. Friend that the object he has in view can be attained under the Bill as at present framed. I fear that an answer I gave recently to a question as to how far a department can be considered a school in itself has induced him to propose this Amendment, but I may point out to him that it is the practice of the Education Department to deal with the income of a school as a whole, and therefore it will be quite possible for managers to equalise the fees. I do not, at the same time, think that advisable, because the Bill is founded on the principle of the relative payment of fees, and maintaining the relative position of fees in each department.

MR. SINCLAIR: Do I understand that if this Amendment is withdrawn it will be possible under the Bill to equalise the fees? I will not go into the question whether it is advisable.

*SIR W. HART DYKE: Certainly.

MR. SINCLAIR: That being the case, I have no wish to press the Amendment.

*SIR W. HART DYKE: The Bill will not prevent the equalisation of fees, but it discourages the adoption of such a course.

MR. SINCLAIR: On the understanding that it will be possible for the managers of such a school as I have referred to to charge an all-round fee, instead of differentiating the charges, I withdraw the Amendment.

Amendment, by leave, withdrawn. (2.25.)

*(2.47.) MR. SUMMERS (Huddersfield) rose to move—

In page 1, line 15, at the end, to insert "Provided that no religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in any school receiving the fee grant."

MR. DE LISLE (Leicestershire, Mid): I rise to order. I notice that this Amendment would strike out of the operations of the Bill 14,784 schools. The total number of schools dealt with is 19,498. Consequently, if the Amendment is passed, it will strike out approximately three-fourths of the whole of the schools dealt with. I submit that such an Amendment is in contravention of the Resolution on which the Bill is founded.

THE CHAIRMAN: That is not a point of order. It is entirely in the discretion of the Committee.

*MR. SUMMERS: I think it right to avail myself of this opportunity of raising a protest against the sectarian character of much of the education given in our public elementary schools. This Amendment is taken *verbatim*, so far at any rate as the first part of it is concerned, from Section 14 of the Act of 1870, which is known as the Cowper-Temple Clause. That section reads as follows:—

"Every school provided by a School Board shall be conducted under the control and management of such Board in accordance with the following regulations:—

"(1.) The school shall be a public elementary school within the meaning of this Act.

"(2.) No religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school."

This, then, is the present law in School Board schools, and what I propose is to put denominational schools and School Board schools on a footing of equality so far as the teaching of a distinctive religious catechism or formulary is concerned. In other words, I propose to make it illegal to teach during the school hours any religious catechism or any religious formulary which is distinctive of any particular denomination. What is the ground upon which I base my contention? It is that by this Bill you are materially altering the character of the so-called voluntary schools. When

this Bill is passed you may call these schools, if you like, denominational schools, but you will have no right whatever to call them voluntary schools. The hon. Gentleman the Member for the University of Oxford (Mr. Talbot) appeared, the other night, to think that anyone who uttered such a sentiment as this must be either a platform agitator or a partisan orator. Is the hon. Gentleman aware who is the author of that opinion? Does he know that it dates back to the year 1876, and that the author is no other person than the noble Marquess the Member for Rossendale (the Marquess of Hartington)? Speaking on the consideration of Lord Sandon's Bill in 1876, the noble Marquess said that the clause releasing managers from the obligation to meet the Parliamentary Grant with an equal local income—

"Altogether abandons the principle hitherto adopted by Parliament, that assistance should be given to denominational schools only in proportion to the voluntary contributions. It is now no longer a necessary condition that voluntary support should be given. In fact, the word 'voluntary' ought in this matter now to disappear altogether. They are denominational schools, but they are not voluntary schools."

If that statement was true, as it no doubt was true, in 1876, it is still more true to-day. The voluntary contributions to so-called voluntary schools have not increased in the interval. If you consider the number of children in these schools the contributions have diminished rather than increased, because I find that the voluntary contributions to Church of England schools amounted in 1876 to 9s. 6d. per head, whereas in the year 1889 they had fallen to 6s. 11d. per head. Hon. Gentlemen are no doubt aware that there are a great number of these so-called voluntary schools without a single penny of voluntary contributions. There are 1,176 of such schools, and there are 548 schools, not only without voluntary contributions, but without a single penny of endowment either. When this Bill becomes law these so-called voluntary schools will really be schools maintained almost entirely out of the Public Purse. As my right hon. Friend the Member for Wolverhampton showed the other night 56 per cent. of the income of the voluntary schools is now provided by the State; and he demonstrated beyond the possibility of contradiction that when this Bill is passed not 56 per cent., but 78 per cent. of their income would come from the National Exchequer. These schools call themselves national. All I ask is that we should make them national in reality as well as in name. I propose, then, to exclude from publicly supported schools the teaching of sectarian catechisms. Some hon. Gentlemen may, perhaps, ask what objection there is to the Church of England Catechism being taught in our national schools. I will not go into the question whether it is wise to endeavour to indoctrinate the minds of young children with particular theological opinions, and I will not ask why we should attempt to teach children of tender years what many grown-up men profess their inability to comprehend. I take the two first questions and answers in the Church of England Catechism—

"Q. What is your name?—A. M. or N.

Q. Who gave you this name?—A. My Godfathers and Godmothers in my baptism"—

I think that that is an improper Catechism to teach in schools attended by the children of Baptist parents. Such children have not been baptised at all, and they are puzzled when they have to give an answer to the question, "Who gave you this name?" and are taught to say in reply, "My Godfathers and Godmothers in my baptism." The Baptists are a numerous body in this country. In the year 1888 in Great Britain and Ireland they had 3,745 chapels and 1,865 pastors. The members numbered 324,498, and Sunday scholars 482,167. In 10,000 rural parishes the children of Baptists are obliged to attend Church of England schools. There are, no doubt, a considerable number of hon. Gentlemen who think it is right to continue the use of the Church of England Catechism, but who, at the same time, object to what is called an "unauthorised Catechism," and if any hon. Gentleman will propose an Amendment which will forbid the teaching of an unauthorised Catechism I shall have great pleasure in supporting him. I think this might easily be done. We might give to the Education Department power to prohibit the use in a public elementary

school of an unauthorised Catechism. The other night the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) called attention to the Catechism compiled by the Rev. Mr. Gace, which was published for use in parochial schools, and which has gone through a considerable number of editions. It has been condemned by the right hon. Gentleman the Member for West Birmingham, who said it ought to be impossible that such teaching should be given in public elementary schools, but it has been condemned by a still higher authority on religious questions than the right hon. Gentleman the Member for West Birmingham—the Archbishop of Canterbury. On March 9, 1889, the Archbishop wrote the following letter to the Rev. R. F. Horton, M.A.:—

"I am much obliged to you for your letter of the 7th inst. The question of this 'Catechism,' which appears to emanate from a small parish in Essex, has already been more than once brought to my notice, and I have in each case replied that it was a most unjust and uncharitable document."

I think hon. Gentlemen will quite agree with that description: it is a most unjust and uncharitable document—

"I am glad to assure you that it in no way represents the mind of the Church of England, whether her greatest theologians of the past or her leaders of the present day are called as witnesses. I venture to say there is hardly a clergyman of any weight whatever—certainly no Bishop—who would endorse the intolerant statements to which you have drawn attention."

The Archbishop concludes—

"I cannot but think that the circulation which it is said to have attained must be largely due to the notice which, as I hear, some of the society papers and many indignant pulpits have bestowed upon it."

Well, I think we shall all agree in condemning Mr. Gace's Catechism as an "unjust and uncharitable document," and, if we are so agreed, surely the wisdom of the House can find a remedy for an admitted grievance. Surely we may now in Committee, or, if not now, on Report stage, devise some Amendment which will make it impossible in future to teach this obnoxious Catechism. There is another Catechism to which, a short time ago, I ventured to draw the attention of the Vice President of the Council—the Catechism of the "Church Extension Association." There are two of these Catechisms—the "First" and "Second," and on the title-page of the copy of the First Catechism I hold in my hand I find printed "115th thousand," so that it seems that this catechism is taught in a considerable number of schools, subject to the control or under the management of "The Church Extension Association." I ventured a while ago to ask the right hon. Gentleman the Vice President whether he was aware that this Catechism was taught in any of our public elementary schools, and the right hon. Gentleman will remember some of the questions and answers in this Second Catechism of the Church Extension Association. Let me quote one or two—

"Q. What are those who separate from the Church of England commonly called?—A. Dissenters.

Q. Are there different sorts of Dissenters?—A. Yes. Baptists, Independents, Quakers, and many others.

Q. Is it wrong to join in the worship of Dissenters?—A. Yes. We should only attend places of worship which belong to the Church of England.

Q. Why?—A. Because it is the branch of the true Church which God has placed in this land."

Now, since I put my question to the right hon. Gentleman on this subject I find that another edition has been published, "carefully revised and corrected," the passage to which I called attention having been revised and corrected accordingly. I am not sure that the revised edition is any improvement on the original; but, in order that I may be perfectly fair in the matter, perhaps I had better read the revised version of the Catechism—

"Q. Is it not, then, very dangerous to leave the Church?—A. Yes; and it is also a very grievous sin.

Q. What is this sin called?—A. Schism, or division.

Q. Are we warned against this sin in the Bible?—A. Yes. St. Paul tells us to mark them which cause divisions, and to avoid them

Q. What does St. Jude say?—A. 'These be they who separate themselves, sensual, having not the spirit.'

Q. Is it wrong to forsake the services of the Church of England?"

The answer, of course, is in the affirmative. The right hon. Gentleman the Vice President told me he was not aware that this Catechism was taught in any

public elementary school, and, of course, I know very well that it is not the duty of the Department to inform itself on the subject. I know that by Section 7 of the Act of 1870 it is provided that a public elementary school shall be open at all times to the Inspector, so, however, that it shall be no part of the duty of such Inspector to inquire into instruction in any religious subject given in such school, or examine any scholar therein in religious knowledge or belief; but perhaps I can assist the right hon. Gentleman in his inquiries if he is at all disposed to make inquiry on the subject. This Catechism, as I have said, is published by the Church Extension Association, and I will read to the right hon. Gentleman a list of the schools for which this Church Extension Association has made itself responsible. The list is taken from the official journal of the Association, called *Our Work*, and I quote from the copy of June 1, 1891—

"Some of our friends are interested in the schools for which the Church Extension Association has made itself responsible. Of these there are in London: The St. Augustine's Schools, Kilburn (girls and infants), number on the books 1,400; Gordon Memorial School, West Kilburn (boys, girls, and infants), 900; Wilberforce Memorial, West Kilburn (girls and infants), 500; Princess Frederica, College Park, Willesden (boys, girls, and infants), 800; Princess Frederica, Willesden, upper grade school (girls and infants), 90; Keble Memorial Schools, Harlesden (boys, girls, and infants), 600; People's College, upper grade (girls and infants), 140; Waterloo College, Kensal Green, upper grade, 100; Old Palace, Croydon, upper grade, 180; St. Gabriel's, Bromley, 80. Then in the Provinces: Nottingham, All Saints' School (boys, girls, and infants), 190; Salisbury, George Herbert Schools (girls and infants), 240; York, upper grade school, 140."

I invite the right hon. Gentleman to make inquiry whether the First or Second Catechism is used in these schools for which the Church Extension Association has made itself responsible. When Mr. Forster introduced the Education Bill in 1870, he prepared a Memorandum to be submitted to the Cabinet of that day, and in that Memorandum Mr. Forster used a remarkable sentence. "It would not be fair to tax a Roman Catholic to teach Methodism." Now, I hold that if it is unfair to tax a Roman Catholic to teach Methodism, it is equally unfair to tax a Dissenter for the purpose of teaching in a public elementary school to the maintenance of which Dissenters contribute that "Dissent is schism and a sin." I said at the outset I did not wish to detain the Committee at any length. I am advocating not that religion should be excluded from public elementary schools, but that sectarianism should be excluded from these schools. We sometimes hear that School Boards are irreligious bodies, but I find from the Majority Report of the Royal Commission that out of 2,225 School Boards in England and Wales, only seven in England dispense with religious instruction, and only 50 in Wales. As to Wales, the Commissioners say—

"Those Boards which shut out direct religious teaching are, for the most part, in Wales, where the Sunday school system most powerfully affects the population."

To sum up. I have been arguing not in favour of excluding religious teaching from our public elementary schools, but that sectarian catechisms, and especially these unauthorised catechisms, should be excluded from our schools. I say, in conclusion, let us banish sectarianism, and thus make it possible for true religion—pure and undefiled—to exert its natural and beneficent sway over the minds, and hearts, and consciences of men.

Amendment proposed,

In page 1, line 15, after the word "Act," to insert the words "Provided that no religious catechism, or religious formulary, which is distinctive of any particular denomination, shall be taught in any school receiving the fee grant."—(*Mr. Summers.*)

Question proposed, "That those words be there inserted."

(3.15.) MR. PICTON (Leicester): I venture to suggest as an Amendment to the Amendment of my hon. Friend to omit the words—

"Which is distinctive of any particular nomination,"

and to add the following words:—

"Except (a) in the case of schools belonging to the Church of England, such catechism or formularies as are authorised by law; (b) in the case of schools belonging to other religious communions, such catechism and formularies as are, or may be, hereafter authorised by the proper authority of the Church, denomination, or congregation to which the school belongs."

Let me point out exactly what is my intention, and the object of my Amendment. It would mean that the forms recognised in the Act of Uniformity,

the Prayer Book, the recognised formularies of the Church of England, might be used in Church of England schools; and with regard to schools outside the Church managed by members of Nonconformist denominations, for my own part I think that the words I have suggested are sufficient for the purpose. Of course, there are various Church organisations among Nonconformists. The Presbyterians have a body to whom authority is delegated, and among Congregationalists each congregation is a law unto itself. All I am anxious to do is to protect the children attending our national schools from the unauthorised intrusion, by the mere caprice of particular managers, clerical or other, of Catechisms and formularies such as those which have been mentioned, and which are evidently abhorrent to hon. and right hon. Gentlemen on either side. My Amendment, as hon. Members will agree, would not interfere with any religious instruction given in conformity with the recognised convictions of the various religious denominations. But it has been said to me, "Why, you are recognising the propriety of having Catechisms and formularies in schools." No, I am not recognising anything of the kind. All that I desire to do is to exclude certain unauthorised documents, Catechisms, and formularies. There is nothing in my Amendment to provide that Catechisms and formularies shall be used. All I wish to do is to correct one abuse. I cannot do away with all abuses in this connection. I wish to make my position quite clear. I am, and I ever have been since I have thought on the subject of national education, distinctly and emphatically in favour of excluding all theological teaching whatever from the schools of the nation. I would have morality taught, but not theology, though I have no objection to religious teaching in its proper place and time. I must guard myself against the imputation of being an opponent of religious teaching. I suggest secular instruction in schools, not because I am opposed to religion at all, but because I, with many others, believe that religion cannot properly be taught except where the children expect to receive such instruction from the hands of those to whom parents send their children for the purpose. That is what I mean by religious instruction at the proper time and place; and if any hon. Member does me the honour to criticise my proposal, I hope he will not assume, what I can assure him is not the fact, that I am opposed to all religious instruction. For many reasons it is better to exclude such teaching from our public elementary schools, but I wish emphatically to deprecate any hostility to religious teaching in itself, and I wish further to say in regard to the sentiments of those who belong to the Roman Catholic Church that though I shall be obliged to allude to certain practices of that Church which it is sought to introduce into our national schools, and to protest against them, I do not wish for a moment to express the slightest disrespect for those of the Roman Catholic Church who entertain opinions differing from my own as to practices they consider proper to the profession of Christianity. I hope I have made my position clear, but I do insist that parents ought to know what they are to expect when compelled by law to send their children to school. We have no right—no moral right, whatever may be the legal right of Parliament—we have no moral right to pass a law compelling the attendance of children at school, leaving it quite uncertain as to what religious influences the children shall there be subjected to, leaving to the caprice of managers or teachers what doctrines or superstitions they may impart to the children. Parents should know what teaching their children receive, and they cannot know unless you lay down restrictions, outside of which instruction shall not travel. Here is a fair opportunity for laying down such limitations. We are now making a large increase in the amount of public money given to public elementary schools, and I maintain that on this ground alone some concession should be made to the growing feeling that more respect should be shown than has been the case hitherto to the consciences of parents of children who are particularly affected by the management of these schools. My right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) has given illustrations of the dangers to which children are exposed in these schools. My right hon. Friend paused in his citations, and said

he would not quote some of the answers in that Catechism in relation to certain sacred observances. Why not? This House is in the position of supreme authority over these schools, and in a great measure we are responsible for what is taught there. Why should not the House be informed of what is taught in the schools, for the management of which we are responsible? We are bound to make ourselves acquainted with the facts. When my right hon. Friend quoted from the Catechism which he said was in use in schools, he was challenged to say where it was used. Well, my hon. Friend the Member for Huddersfield has given a list of schools under the authority of the Church Extension Association, publishers of the Catechism to which he has referred. It is evident that the Catechism is extensively used, for this, I see, is marked the 115th thousand. Now, I say this: that this "First Catechism" and "Second Catechism" and the "Manual," all forming part of a series issued by the Association managing those schools to which my hon. Friend has referred—all these books betray an insidious design to lead children and young people under their influence to the practice of auricular confession, which I take it is generally deprecated by Protestant public opinion in this country. Having said so much, I am bound to give proof of my statement. In the First Catechism intended for very young children we find these questions and answers—

"To whom has God given authority to pronounce absolution?—To His priests.

How should we obtain absolution?—By confessing our sins.

What is to confess our sins?—To tell them one by one."

Now, that may appear laughable to some hon. Members, and it would be amusing enough if we could put out of sight altogether the kind of corrupting influence produced on young minds by such teaching. Then in the Second Catechism we find this—

"What is necessary before we can receive absolution?—Repentance."

Very true, no doubt.

"What are the three parts of repentance?—Contrition, confession, and satisfaction."

Then, farther on we find—

"What is confession of sins?—To tell them one by one.

Would it be wrong to keep back anything?—Yes, it would be a very grievous sin."

Then in the Manual which is put into the hands of children we find in the preface, "Go to confession as often as your clergyman advises you." Then we find in the book the introductory form of confession, and the penitent is instructed to say—

"I confess before the whole company of Heaven and to you, I have sinned in thought, in word, in deed."

Now, I say again, I have not a word of disrespect towards those who are members of the Church which teaches these practices; they have my profoundest respect; but we are speaking in reference to a Church supposed to deprecate such practices, or, at any rate, all parents who send their children to these Church schools believe that such practices are inconsistent with the doctrines and formularies of the Church of England. Why, I ask, should we by our legislation compel children to attend schools with the risk of being subjected to such teachings, which are known to be objectionable to the majority of our countrymen, with no control or safeguard except the miserable Conscience Clause, which is known to be inoperative? I believe the majority of the House object to these things. Why, then, not make some Amendment in the Bill to exclude these objectionable practices? Hon. Gentlemen laugh and sneer, not, I know, at these sacred things alluded to, but because they think we are incompetent to deal with these matters. Individually, perhaps, we are; but we are sent here to represent the views of electors, and those views I express. They protest against the present state of bondage under which Nonconformist children suffer, especially in rural districts, and I think the least we can ask is that Parliament should make this trifling concession in order that while proper and authorised religious teaching may be given, unauthorised, capricious, and offensive Catechisms and formularies shall be imperiously excluded from the schools we are called upon to support.

Amendment proposed to the proposed Amendment,

To leave out the words "distinctive of any particular denomination," in order to add at

the end of the proposed Amendment the words "except (a) in the case of schools belonging to the Church of England, such catechism or formularies as are authorised by law; (b) in the case of schools belonging to other religious communions, such catechism and formularies as are, or may be, hereafter authorised by the proper authority of the Church, denomination, or congregation to which the school belongs."—(*Mr. Picton.*)

Question proposed, "That the words 'distinctive of any particular denomination' stand part of the proposed Amendment."

(3.34.) SIR W. HARCOURT (Derby): I rise to appeal to my hon. Friends not to press their Amendments on the consideration of the Committee. The Amendment of the hon. Member for Leicester raises the whole of what is called the religious difficulty, and anybody who has had anything to do with the discussion of this matter during the last 20 years knows what the religious difficulty means. It was the great subject of discussion in 1870. I am not going to enter upon that question now; my views have been fully expressed; but I would ask the hon. Member for Leicester to remember that this is now the month of July, and to consider whether it is possible for this House to enter now upon a discussion of the religious question with any hope of the Bill passing into law this Session. I confess that I think it is not, but this Amendment raises the whole of that question. As far as we who sit on this Bench are concerned, we have put forward our views on the Instruction which was moved to the effect that protection should be given by popular representation against what might be considered by any section of the community improper religious teaching. I do not desire to enter into any detail or any argument on this subject; but I would appeal to my hon. Friends, in the interests of the passing of the Bill, not to insist upon the prolongation of a Debate of this character.

(3.36.) MR. ILLINGWORTH (Bradford, W.): I do not deny that there is considerable force in the view expressed by the right hon. Gentleman the Member for Derby, that at this period of the Session it is inopportune to enter into the religious aspect of this question. But if that is the case, the Government themselves are to blame for it. A large portion of the early part of the Session was taken up in discussing a measure connected with religion—a Tithes Bill, which was brought forward and passed by the Government mainly in the interests of the Church of England; and if we find ourselves now in the month of July without time to discuss the various aspects of this Bill, it is only right that the blame should be put on the proper shoulders. For my own part, I thank the Member for Huddersfield (Mr. Summers), although it may be that the time is inopportune, for bringing forward this grievance. Only two years ago the Government conceded this very security now asked for in the Technical Instruction Bill, in which it was found necessary to make provision to safeguard those who do not belong to the dominant body who may control the schools in which technical education is taught. And in Mr. Forster's Bill Parliament inserted a provision in the case of Board schools similar to that now proposed by the Member for Huddersfield. Now, when we are altering the character of the voluntary schools by making them State-supported schools, it is only reasonable to expect that these safeguards shall be extended to the denominational establishments. If this is not the moment to raise the question, I hope that every Member sitting on the Liberal side of the House will at least assent to the proposition and determine that on the first occasion the attention of Parliament can be brought to bear on this question it shall be their solemn duty to insist that an end shall be put to the wrongs, injustice, and oppression which exist under the present system. It has been made manifest by the action of hon. Gentlemen on the Government side of the House that they are interested in the continuance of the teaching of the doctrines of the Church of England in these schools. That cannot be disputed. It is the desire of the National Society that the poor of this country shall be educated in the doctrines of the Church of England, and it is a remarkable fact that while in the course of this Debate hon. Gentlemen opposite are dumb when any proposition affecting education pure and simple is brought forward, when anything affecting the interests of the Church of England is mentioned they

seem to regard it as their bounden duty to join in the fray, and defend what they call "the ancient rights" of that great religious and political corporation. I ask is the House of Commons so concerned in maintaining the privileges of the Church of England as to allow the injustice and oppression which the children of so large a body of the Queen's subjects now suffer under? I am proud to be able to stand here and defend the rights of the poor and the weak in this matter. ["Hear, hear!"] The Member for Oxford (Mr. Talbot) does not like to hear these observations. I have sat opposite to him while I have been in the House, and I must say that the hon. Gentleman has been a very zealous, if an unwise, defender of the privileges of the Church. But I would remind the hon. Gentleman that he has been fighting a retreating battle, while I am proud to say that the cause with which I have been associated is gaining strength. [*Laughter and Opposition cheers.*] Yes; the Church of England and the Political Party connected with it have been forced to make concession after concession. I cannot agree with the Amendment of the Member for Leicester. I do not believe it is for the House of Commons to sanction any particular form of religious teaching, which may be considered to be the case if they exclude one in favour of another. I hope that that Amendment will not be pressed; but if the Member for Huddersfield goes to a Division, I hope he will be supported, if only as a protest against maintaining a course of injustice and oppression in elementary schools.

(3.42.) SIR J. KENNAWAY (Devon, Honiton): As this question of the Church Catechism is to the front on this Amendment, I hope I may be allowed to take the opportunity of asking the right hon. Gentleman the Member for Wolverhampton or the right hon. Gentleman the Member for Sheffield a question with regard to the Catechism of which we heard something two days ago. The sentiments with regard to Nonconformists expressed in the questions and answers read out by the right hon. Gentleman have caused great pain and grief to almost every Member on this side of the House, and I want to know whether the right hon. Gentleman can state in how many schools the Catechism is used for daily instruction, or what authority he has for stating that it is in very large use? For my own part, from inquiries which I have made and information which I have received, I believe that the circulation is not anything like that which has been stated.

*(3.45.) MR. H. H. FOWLER (Wolverhampton, E.): I at once respond to the inquiry the hon. Baronet has addressed to me. I referred to two Catechisms the other night. The author of the particular Catechism from which I quoted was the Rev. F. A. Gace, vicar of Great Barling, Essex. The edition from which I quoted—it was published a year or two ago—was the twelfth edition. That fact indicates pretty clearly that the Catechism has a circulation, and as my right hon. Friend the Member for the Brightside Division of Sheffield pointed out a circulation indicates that the Catechism is not printed simply for the purpose of being put into the waste paper basket. If it is put into circulation I think it is safe to infer that it is used. I distinctly said that my statement the other night was made on the authority of the responsible head of the Wesleyan Educational Department in this country, who authorised me to state that of his own knowledge he knew that this Catechism was in use, and in extensive use, in various parts of the Kingdom.

VISCOUNT CRANBORNE: In day schools?

*MR. H. H. FOWLER: The whole purpose was in reference to day schools. We were talking about day schools and day schools exclusively when the information was conveyed to me. I simply stated the broad fact that this Catechism was in circulation. The other Catechism to which I referred I said was in its 157th thousand. I said it was in use in various parts of the Kingdom; but I say that even supposing such a Catechism is only in use in a very small district, that district has a right to complain. I may be allowed to express my grateful acknowledgments to gentlemen of all shades of religious opinion in this House, and especially to laymen of the Church of England, for unanimously repudiating that Catechism. I quite accept that repudiation, and I believe it will do more to put a stop to the use of such a

Catechism than perhaps any other instrumentality.

*(3.49.) SIR W. HART DYKE: For pity's sake let us proceed with the Bill. In this Debate we have had a sufficient illustration of what might have happened had Her Majesty's Government proposed to introduce the religious element into the Bill. The hon. Member was perfectly candid when he said that this was a subject on which he felt strongly, and that he brought it forward simply as a protest, and not for the purpose of dividing the House upon it. The hon. Member has made his protest, and I do hope he will be satisfied with the discussion. For my own part, I must refuse altogether to enter into the merits of the question. I was a Member of the House in 1870, and I remember the tortuous Debates we had then on the religious question. I am confident of this—that the Member for Derby has done good service in the promotion of the Bill in having urged the Committee to at once proceed with other matters. I will add one word with reference to these unhappy documents, the Catechisms. It is perfectly obvious that the Catechism quoted by the right hon. Member for Wolverhampton contains matter which any sensible man, any just or liberal-minded man, in the House or elsewhere, must repudiate, and, as far as I am concerned, I consider that a better document for the promotion of dissent in this country it is impossible to find. We shall find out by-and-bye, after the lurid glare that has been thrown upon it by these Debates, to what extent it has been circulated. I have been pressed on the question of these Catechisms and urged to instruct the Inspectors to see that they are not used. I think it is well-known with regard to the Department that they are absolutely shut out from dealing with the religious question. Both in the Act of Parliament and in the Code Inspectors are expressly enjoined not to meddle in religious matters. If there is any influence which I can bring to bear by any possible means to put a stop to the evil which must be created by such a Catechism as the one referred to I will gladly use it.

(3.53.) MR. ARTHUR WILLIAMS [*Cries of* "Divide!"]: I thank my hon. Friend for making this protest, but I hope he will go to a Division. [*Cries of* "Divide!" *and interruption.*] I have not had an opportunity in Committee of saying a word on behalf of Welsh Dissenters. I think hon. Members on the other side of the House—men whom I respect for their religious opinion just as I respect my fellow countrymen for theirs—will appreciate the position of a representative like myself when I tell them that in my own constituency in the Vale of Glamorgan there are 30 parishes in which there is no school but a Church of England school, although four out of five of the children who attend them are the children of Dissenters. These children are bound, under stress of the regulations, day after day in school, before the real work of education begins, to listen to the Catechism of the Church of England. [*Cries of* "Divide!"] The Amendment of the hon. Member for Huddersfield would, to a great extent, satisfy the grievances of the Welsh Dissenters, and would get rid of the religious difficulty if the hon. Member would consent to an Amendment. I would suggest that he should add at the end the words—

"No formula, catechism of the Church of England or any sectarian catechism shall be read in public elementary schools which accept the fee grant except during one hour out of the school course."

I believe the Welsh Members would be to a large extent, satisfied if those words were added, especially if it were stipulated that no child should join in the religious instruction, except at the written request of the parent. If the hon. Member for Leicester will withdraw his unfortunate Amendment, and the hon. Member for Huddersfield will add these words, I think his proposal will be acceptable, at any rate, to the Welsh Members.

(3.56.) MR. J. CHAMBERLAIN (Birmingham, W.): I understand that the hon. Member for Huddersfield intends to go to a Division. I intend to vote against him, and I should like to explain why. The hon. Member for West Bradford is perfectly consistent. He represents the Liberation Society, and what may be called aggressive Nonconformity. Under these circumstances, he is perfectly consistent in subordinating

the interests of education to the interests with which he is especially charged. That would be the effect of the Amendment, and it is on that account that I shall oppose it. The Amendment of the hon. Member for Huddersfield is really an Amendment against the principle of the Bill, and in another form brings up the issue which was raised by the proposed Instruction of my right hon. Friend the Member for Wolverhampton. That Instruction, if carried, would have led to making all the voluntary schools School Board schools. The Amendment of the hon. Member for Huddersfield requires all voluntary schools to behave as if they were School Board schools, and to give up the denominational teaching, which is, in fact, the chief reason why they have been separately established. If that Amendment were carried, the Government could not, without a breach of faith towards its own supporters and the managers of the denominational schools, continue the Bill. It would be fatal to free education, and on that ground I shall vote against it. The Amendment upon the Amendment proposed by the hon. Member for Leicester is not open to the same objection, but it appears to have no friends whatever. As has been pointed out, the hon. Member is compromising great Nonconformist principles. He directs his Amendment against some particular Catechisms, which are not only sectarian, but personally offensive. It is the opinion of the House that the Catechism edited by Mr. Gace is personally offensive to a large number of Nonconformists—[Ministerialist Members: And Churchmen]—and I should add Churchmen; and we have it on the authority of the acting head of the Education Department that if he had the power he would discourage the use of it in day schools. Well, I think it would be possible hereafter by a short clause to give to the Department some discretion or power to deal with a Catechism of this kind, but the argument does not apply to a Catechism which is simply sectarian. The teaching in a Wesleyan school is just as sectarian to me as that in a Church of England school is to a Wesleyan, or that in a Roman Catholic school to a Protestant, but the objection which I think we have a right to take to the Catechism in question is that it is unnecessarily offensive to a large number of our fellow-subjects. For these reasons I shall vote both against the Amendment and the Amendment to the Amendment. The matter of the particular Catechism, as I have already pointed out, may with propriety be dealt with at a later stage.

MR. PICTON: I beg to withdraw the Amendment, my purpose having been served by the discussion. I had thought it would be acceptable to hon. Gentlemen opposite as well as to hon. Gentlemen on this side. It is not, and all I can say is that it is the very first attempt I have ever made at a compromise on this matter, and I certainly shall take care that it will be the last.

Anendment to the proposed Amendment, by leave, withdrawn.

Question put, "That those words be there inserted."

(4.5.) The Committee divided:—Ayes 90; Noes 195.—(Div. List, No. 315.)

*(4.15.) MR. ROBY: The question dealt with in the Amendment of which I have given notice is, I hope, not a burning question—at any rate, not in the way I propose to treat it. I would remind the Committee that the original grant from the Imperial Treasury had to be equalled by the amount from the local resources. But in the year 1876 that was in some degree infringed upon, and it was laid down that the amount from the Public Treasury should not exceed whichever was the greater of the two sums—the grant from local resources or the 17s. 6d. per head. It comes to this: Whereas the cost of denominational schools is about 36s. per head, and in Board Schools 45s. per head, the grant from the Imperial Treasury will be about 27s. in the first case and 28s. in the second. That is to say, the amount to be raised by local resources will be left entirely to subscriptions and endowments or to rates. What is the amount raised from local resources? It is rather remarkable that in 1865 the amount in Church of England schools was 7s. 8d.; in 1870, 7s. 6d.; 1875, 8s. 9d.; 1880, 7s. 10d.; 1885, 7s. 2d.; and in 1887, 7s. From 1865 the amount has been, on the whole, diminishing, while the amount

of fees in the same time has risen from 7s. 10d. to 10s. 8d. per child, and the amount from the Imperial Treasury has risen from 7s. 5d. to 16s. 6d. We are actually now in this condition: that the Imperial Treasury is going to give 27s. out of 36s., and the remainder only is to be made up by the school pence and by voluntary subscriptions. I do not on the present occasion say a word against voluntary schools, though my own conviction is strongly in favour of having education under School Board management. I only urge denominational schools, in their own as well as the public interest, to take care that the name by which they have been recognised shall continue to be a real living name. It is not desirable in any way that these schools should exist all over the country without having surrounding them a body of persons really taking an active part in their maintenance and progress. That, I contend, is demanded by the interests both of the public and of the persons concerned with these schools, that they should not only take a share in administering the endowments left by their forefathers, but show their faith in the denominational principle by their work and subscriptions. I have taken the amount of 7s. I propose that if the amount of subscriptions is not equal to 7s. that the grant shall be reduced below 10s., exactly in the same proportion; that is to say, if they do not contribute 7s. the grant shall be reduced; and if they only contribute 6s. the grant shall be reduced to 9s., and if they contribute only 5s. the grant shall be reduced to 8s. The Committee will have observed that 7s. is now the average amount in the Church of England schools, the average for denominational schools being, I think, 6s. 7d. Now, is there any necessity for putting this clause in the Bill? I find that in Birmingham the voluntary contribution is 5s. 3¾d.; in Bradford, 2s. 11¾d.; Bristol, 3s. 10½d.; Hull, 6s. 8¼d.; Leeds, 4s. 0½d.; Liverpool, 3s. 1d.; London, 9s. 0¼d.; Manchester, 4s. 7d., and so on. In Brighton it is 11s. 7½d., but all the others are comparatively small. Preston, of which we have heard so much, is only 4s. 1¾d. These figures are for the year 1884-85. I imagine the figures are substantially the same in the present year. A considerable number of voluntary schools, especially in the North of England and the large towns, are supported mainly by school pence and the grant. I do not believe that the majority on the other side of the House will think that sound or wise. I do not think they will hold that it is desirable either on the ground of the public interest or on the ground of their particular denominations that there should be, as it were, excepted from the general run of public management certain schools which are to depend on a large gift from the Public Treasury, and very little, indeed, on voluntary subscriptions. The noble Lord (Viscount Cranborne) referred to the case of Darwen. By the Mundella Return I make the voluntary subscriptions there to be 3s. a head, and when he urges an increased grant I cannot help thinking that he ought to recognise as far more suitable that he should urge those in the district which he represents to show their faith in the principles they adopt by subscribing liberally in support of their schools. If they do not they must either diminish the efficiency of their schools or put the deficit upon the school pence. If I were specially anxious to destroy voluntary schools I should urge them as much as they could to add to the school pence. Surely it would be wiser on the part of thosewho are in favour of voluntary schools to try to increase the efficiency of their schools by urging their neighbours to contribute to the schools of which they approve, and they will have the additional inducement that for every 1s. above 3s. or 4s. which they are now giving they will get an extra 1s. from the Government. There should be a fair amount of subscriptions in order to maintain the efficiency of the schools, and to prevent in the case of any particular school the intention of Parliament being frustrated by maintaining the school pence at a considerable elevation. As to endowments, I should prefer that they be not used in the future to supply the place of subscriptions and of rates, but in making the school fulfil the object of the original benefactor by increasing its efficiency by means of the endowment. I urge strongly that a provision of this kind should be put in the Bill, so that security

shall be given to the public, and the denomination that there shall be a living body of persons aiding, improving, and continuing to improve the school.

Amendment proposed,

In page 1, line 15, after "Act," to insert "Provided that, if in any such school the income in any year arising from subscriptions, endowment, and rates does not amount to seven shillings for each such child, the fee grant payable to the said school in respect of each child shall be reduced by the difference between seven shillings and the average amount for each child of the income arising as aforesaid."—(*Mr. Roby.*)

Question proposed, "That those words be there inserted."

*(4.30.) SIR W. HART DYKE: It is not possible for the Government to accept the Amendment, which has been so clearly placed before the Committee by the hon. Member. As I understand it, it is a scheme for fining schools when the subscriptions do not reach a certain point. For example, if the subscriptions do not amount to 5s. per scholar, then the fee grant will be 8s. instead of 10s. So far as the Amendment aims at insuring the maintenance of subscriptions and of the efficiency of schools, it has my sympathy with its intention. Any scheme which will insure the fulfilment of their obligations by voluntary managers will to that extent be valuable. But the Amendment goes far beyond that, for it really upsets the financial basis of the Bill. I have been obliged to resist Amendments which would have extended the financial operations of the Bill, and it would be unjust to entertain Amendments which would restrict those operations.

*MR. ROBY: The Government are in a peculiar mood to-day; they resist Amendments for both diminishing and increasing the amount to be spent. If this Amendment were operative it would tend to increase the resources of a school by keeping up the subscriptions, or to diminish the charge upon the Chancellor of the Exchequer.

MR. PICTON: I shall vote for this Amendment. The Bill practically does away with the 17s. 6d. limit by reckoning the 10s. fee grant as if it came from local sources.

Amendment negatived.

(4.37.) MR. LLOYD-GEORGE (Carnarvon, &c.): The Amendment which stands in my name deals with the exceptional state of things which prevails in Wales. There the majority of the schools are Church schools, and it is well-known that Dissenters stand very poor chance of securing appointments as teachers in them. This inflicts a hardship on the Municipality, for it tends to reduce the efficiency of the teaching staff.

Amendment proposed,

In page 1, line 15, after the word "Act," to insert the words "Provided always, that such grant shall not be made to any elementary school in the counties of Wales and Monmouth, the managers of which shall impose a condition or stipulation upon the appointment or retention of any teacher in such school that he or she shall be a member of any particular religious denomination, or shall attend or assist in the services of any such denomination."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

(4.40.) SIR W. HARCOURT: Surely the Amendment is a reasonable one. My only complaint is that it is limited to Wales and Monmouth. It seems to me that it should apply to all schools receiving State aid. The profession of a school teacher is a very honourable one, and if persons fitted for it are to be disqualified from following it in so large a proportion of our schools unless they belong to a particular denomination, I think a great hardship is being inflicted on the community. This system operates very harshly in Wales. It is discouraging young people from qualifying for the work of teaching, and it is imposing an unjustifiable religious disqualification. I hope the Government will adopt some plan to remove that disqualification.

*MR. W. H. SMITH: I quite agree that the profession of teaching is one of the most honourable, but I am not aware that there is any disqualification put upon persons by reason of their not belonging to the Church of England. There are training colleges by which they can enter the profession and schools in which they can be employed.

SIR W. HARCOURT: I put the case of a parish in which there is only one school. If elder scholars cannot begin teaching in that school, they cannot do so anywhere else, and therefore they are

disqualified if their religion is not that insisted upon by the managers.

*Mr. W. H. SMITH: This Amendment goes far beyond that, for it provides that no conditions shall be laid down by the managers of any denominational school receiving this grant that a teacher shall belong to a particular denomination. If such a provision were inserted in the Bill would it be operative? Would not the Wesleyans find means? Would not Wesleyans, who have some of the best schools in the country, find means of selecting a Wesleyan by conviction? And so with regard to the Roman Catholics. Are they to be deprived of the Government Grant if they insist that a teacher in any of their schools shall be a member of their Church? I cannot consent to an Amendment that would prevent the managers of a Roman Catholic school from making it a condition that the teachers in that school shall be members of that Church. I am in entire accord with the right hon. Gentleman opposite that the rights of conscience should be respected and should be dealt with in a most liberal spirit; but I believe that in practice the consciences of both teachers and children are respected in a far greater degree than hon. Members opposite appear to think they are. In many Church schools the pupil teachers are Dissenters. I, however, cannot accept, on the part of the Government, a proposal of this kind, which is entirely opposed to the existence of denominational schools, and which would put a severe strain upon the consciences of the managers of schools. Even if the Amendment were adopted it would be utterly and hopelessly inoperative.

(4.47.) Mr. A. DYKE ACLAND: I cannot agree with the First Lord of the Treasury. I should like to point out to him that the rural schools in Wales require the protection which is proposed to be given to them by this Amendment. In a school in the parish in which I live 90 per cent. of the children are Nonconformists, and yet all the teachers are required to belong to the Church of England. Of the 105 children on the books not ten are children of Church-going parents. The school is governed by the clergyman, assisted by his curates. Some 40 years ago two parishioners were nominated on the Committee, but their successors have not been appointed. Surely it is not fair to lay it down that no one can be appointed teacher in a school in which 90 per cent. of the children are Nonconformists unless he is able to say he is a communicant of the Church of England. Yet, under this Bill, you will encourage such conduct.

(4.50.) Mr. T. ELLIS: I appeal to the Vice President to make this small concession to Wales. The principle has already been found to work satisfactorily in connection with Welsh intermediate education. My hon. Friend has cited the case of a school in which 90 per cent. of the children are the children of Nonconformists. In my own village there is a school in which every child is a Nonconformist, and yet all the teachers are required to belong to the Church of England. That is a state of things which no sensible man will uphold. There will be no real grievance in the case of Roman Catholic schools, because the religious teaching in those schools is given by the priests and not by the schoolmasters. One of Her Majesty's Inspectors of Schools has expressed the opinion that religious teaching in all voluntary schools had better be given by the ministers and not by the teachers. In my opinion, the present condition of things offers a premium to hypocrisy, as it induces people to declare themselves members of the Church of England merely for the purpose of qualifying themselves as school teachers in Church schools. If this Amendment were agreed to, it would, even if practically inoperative as the right hon. Gentleman opposite says it would be in a majority of cases, at all events show the spirit in which the House of Commons looks at the matter. I hope my hon. Friend will press this to a Division.

Viscount CRANBORNE: The speech of the hon. Member who has just sat down is another example of the reckless inconsistency with which hon. Members opposite attempt to draw distinctions between the Roman Catholic Church and the Church of England to the detriment of the latter. Why should the hon. Member desire that the schools of the two Churches should have a different treatment meted out to them?

MR. T. ELLIS: I only asked that this Amendment should be applied in the case of Welsh parishes in which there is only one school and that a Church of England one.

VISCOUNT CRANBORNE: Why is it that the Welsh Nonconformists if they do not like Church of England schools do not build schools of their own? The answer given by an hon. Gentleman opposite was that they preferred Board schools. That is the difference between the Church of England and the Nonconformists. Whilst the members of the Church of England are willing to pay for the education of their children, the Nonconformists are not willing to spend a penny in aid of education, but desire that all the cost should fall upon the ratepayers. If Nonconformists in districts where there are many of them want schools of their own, let them build them. I am not speaking of the small congregations of Nonconformists in certain parts of England. Their case is entirely different; but in Wales, where we are told they are in such a large majority, I cannot conceive how they can have the face to complain that there are no Nonconformist schools. I protest against the assumption apparently favoured by some hon. Members opposite that schools exist not for the benefit of the children, but for the benefit of the teachers. If managers of schools were not to be allowed to require that teachers should conform to given conditions respecting religious belief, persons might present themselves for appointment as teachers who were not Nonconformists, but extreme, aggressive infidels. Supposing that an infidel wished to be appointed teacher in a school, for the purpose of indoctrinating the children with his own ideas on religious matters, are the managers to be prevented from rejecting his application on the ground of his non-belief? I hold that the discretion of managers ought not to be interfered with in the way now proposed, and I trust that the Committee will reject the Amendment.

(5.4.) SIR G. TREVELYAN (Glasgow, Bridgeton): The noble Lord, by what I cannot but think the unworthy and very hackneyed taunt with which he began his speech, has shown how a very kindly man may be influenced for the worse by sectarian feeling; it is astonishing that a country gentleman, or the son of a country gentleman, who knows what are the conditions of rural life, should think it a sufficient answer to a number of agricultural labourers and small farmers, who wish for schools in agreement with their own religious persuasion, to say that if they are not satisfied with the existing schools of a district they should set up schools of their own. That is an invitation and a challenge which, if the noble Lord were speaking to a number of poor labourers, he would be the very last man to use. What is the use of talking in that way? The Welsh Nonconformists have proved that they were willing to set up schools themselves in those districts where they derive sufficient private incomes from trade or other pursuits; the grievance of which they complain arises in the rural districts where the whole surplus wealth of the community is represented by the rent. For my own part, I feel that the landlord in such districts is not fulfilling his duty as receiver of that surplus when he sets up a school which does not conform to the views of the great bulk of the people living upon the soil. Does the noble Lord really think that in any Welsh village where there is already sufficient school accommodation for the children of the district the Education Department will permit the public money to be wasted in the establishment of another school?

VISCOUNT CRANBORNE: Certainly; according to the law, any school in an elementary school district which can attract a certain number of scholars for a certain time is entitled to a grant.

MR. A. DYKE ACLAND: A building must be provided.

SIR G. TREVELYAN: But does the noble Lord seriously think that his plan is one which would really conduce to the better education of the people? One of the reasons why we welcome the proposal of the Government to establish free education is that we wish to systematise the education of the country. The noble Lord's view is that in a small village two starving schools should be set up, when the only real means of insuring efficient education in the village is by concentrating all the educational enterprise and energy of the community on one school. On some occasions, perhaps, shadowy grievances have been put

forward by Nonconformists, but the grievance which the Amendment is designed to meet is a very substantial one. It is a very great grievance that the people of a district should not be able to hope to teach in the schools of the district, or to have their children taught by those who are in sympathy with the religious views of the majority of the community. In the interests of education itself the legitimate prizes of education ought to be open to the many and not reserved for the few. Nonconformists in Wales and elsewhere have no chance at present of obtaining the blue riband of education. The noble Lord (Viscount Cranborne) sneers—[*laughter*]—yes, sneers as visibly as I have ever seen anyone sneer in this House. But those who do not belong to the noble Lord's class or to the class next to his, but to the ordinary village community, know that the proudest intellectual distinction in the eyes of a child is to become a pupil teacher, with the hope of ultimately becoming a teacher in his native village, or, as a Welshman would say, in his native country. This Amendment is a protest against the great abuse of obliging teachers to undertake duties lying outside the legitimate domain of education. It ought not to be required of a teacher that he should be an organist, that he should sing in a choir, that he should act as clerk; still less ought it to be made a condition of his employment—and this is a religious test of a most unfortunate sort—that he should be a communicant.

*(5.12.) SIR J. LUBBOCK (London University): I am afraid that the discussion is wandering away somewhat from the point before the House. I am thoroughly in sympathy with the spirit and object of the Amendment, but even the hon. Member for Rotherham agrees that it would not carry out the object he has in view. The hon. Member for Merionethshire (Mr. T. Ellis) referred to the endowed schools. The Endowed Schools Commission, of which I was a member, had to deal with cases entirely different from those which the Amendment is intended to cover. We had to consider cases in which it was impossible under old deeds to appoint any person to be master of a school unless he belonged to a particular denomination. This limitation was abolished, and the change was therefore an operative Amendment. This Amendment, on the contrary, simply provides that membership of a particular denomination shall not be made a condition of appointment. The appointment would still be made in exactly the same way, and the only difference would be that notice would not be given of it. Then we had a case referred to in which a school in Wales had been for 40 years carried on under the Church of England clergyman, and yet almost the whole parish were Nonconformists. That is hardly a case which shows there was much grievance or oppression, because it shows that the school has not been carried on in a proselytising spirit.

MR. T. ELLIS: The right hon. Gentleman is confusing a case I quoted with one referred to by the hon. Member for Rotherham.

*SIR J. LUBBOCK: I beg the hon. Gentleman's pardon, but the argument holds good all the same. The Amendment now proposed, however, would have no effect. If, indeed, it were operative, and if it were extended, as proposed by the right hon. Gentleman the Member for Derby, to England, it would strike at the very root of the Bill, because it would exclude Roman Catholic and Nonconformist schools from the advantages of the Bill. As drawn, however, the words would really have no effect whatever, and would not carry out the object which the hon. Member has in view.

*(5.15.) MR. S. SMITH: The noble Lord opposite (Viscount Cranborne) challenged Nonconformists to build schools of their own. I wish to tell him that Church schools in Wales are largely built by the help of Nonconformists.

*MR. STANLEY LEIGHTON (Shropshire, Oswestry): I am of opinion that the Nonconformists of Wales do not object to the Bill in its present form. The persons educated in the denominational schools of which we have heard so much are generally labourers' children, and the agricultural labourers of Wales are Churchmen, not Nonconformists. As far as we can calculate, from the statistics at our disposal, about half the people of Wales are Churchmen. We were anxious to prove these facts by the official Returns of the census, but hon. Members, like the hon. Member

for Flintshire (Mr. S. Smith), oppose a religious census being taken for reasons of their own. If we had had a religious census much of the opposition to the Bill would have been abandoned. The speech of the right hon. Member for Derby (Sir W. Harcourt) has knocked the bottom out of the arguments brought forward in support of the Amendment. He has objected to it that it only applies to 12 or 13 counties in the West, and he very properly argued that it should be applied generally or not at all. The Nonconformists of Wales are not poor. The poorer classes do not belong to them. In fact, the Nonconformists of Wales do not want to have much to do with the poor. Their religious societies are designed for those who can pay for their own membership, and they are supported by the well-to-do middle class, and some rich strangers who are good enough to represent them in the House of Commons. It will be found that the hon. Member for Montgomeryshire (Mr. Stuart Rendel) and others have contributed largely to Nonconformity in Wales. The Board schools in Wales are really denominational, because the religious teaching given in those schools is in accord with the religious views of Nonconformists, where any religious teaching at all is provided, for in 50 schools in the Principality the Holy Bible is a prohibited book. The proposed Amendment is, therefore, conceived in the spirit of bigotry rather than of religious liberty.

(5.22.) MR. J. CHAMBERLAIN: I cannot help thinking that the right hon. Member for Derby feels some compunction for having given his support to this Amendment after he had refused it to that of the hon. Member for Huddersfield. The right hon. Gentleman very justly deprecated sectarian discussion, but the question we are now debating is precisely the issue raised by the hon. Member for Huddersfield, although it is not raised in such a logical way. What we are discussing is not a particular grievance, but the grievance of the existing denominational system. Under that system the denominations are allowed to teach their own religious belief by formularies and Catechisms. It is surely only consistent that as long as that is the law those who wish to have those formularies and Catechisms taught should also wish to have them taught by those who believe in them. It is equally consistent that the Member for Huddersfield should propose that all that should be changed. My only objection to that is that the adoption of the Amendment would be fatal to the Bill, as we can only have free education on certain conditions, namely, that the denominational system shall be left alone. If hon. Gentlemen are determined to attack the denominational system, then they must be prepared to concede that they care much more about destroying the denominational system than about having free education. I shall vote against this Amendment, not only because it will be inoperative, but because I regard it as wholly inconsistent.

(5.25.) SIR W. HARCOURT: I do not myself feel the inconsistency of the declaration I made a short time ago. But really the Member for West Birmingham is much more denominational than the denominationalists, and carries his views further than Her Majesty's Government. If we want to understand why the Nonconformists in England and Wales are opposed to the denominational system, we have only to listen to the speech of the noble Lord the Member for Darwen and that of the hon. Gentleman (Mr. S. Leighton) who, although not a Welsh Member, always undertakes to speak for Wales. I hope the speech of the noble Lord will be accurately reported and will be distributed in every English village and rural district, so that people may thoroughly understand the purse-proud spirit on which the noble Lord has based his opposition. The noble Lord said he could not understand why these poor people could not build schools for themselves. It is because the noble Lord has never been able to understand what is the difference between wealth and poverty. Than such language used by the noble Lord a greater blow could not be struck at the denominational system, because it shows what denominationalism is and what are its objects. When we listen to such language we must be convinced that the only chance of fair play for all is the establishment of Board schools in every part of the country. The noble Lord said that it was not for the purpose of giving to the children in the schools a

fair chance of rising to be professional teachers that they contributed their shillings or pence to the support of these schools, but for the purpose of excluding men of a different religious denomination. There is only one remedy for that, and that is, as I have said, to establish Board schools, where people will have fair play, and thus to put an end to persecution and injustice.

*Mr. J. BRYN ROBERTS (Carnarvonshire, Eifion): The Nonconformists of Wales have been taunted with not building Nonconformist schools. As a matter of fact, many of the Church schools in Wales have been built with the assistance of Nonconformists, who have contributed to them and have given a great deal in free labour. At the time many Church schools were built there was no suggestion that the schools would be put into the hands of the National Society and made denominational schools. The exhortations made to Nonconformists were solely directed to the necessity of having schools, and——

It being half-past Five of the clock, the Chairman proceeded to interrupt the Business.

Whereupon Mr. William Henry Smith rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(5.30.) The Committee divided:—Ayes 215; Noes 130.—(Div. List, No. 316.)

Question put accordingly, "That those words be there inserted."

(5.45.) The Committee divided:—Ayes 129; Noes 212.—(Div. List, No. 317.)

It being after half-past Five of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

PUBLIC HEALTH (SCOTLAND) ACTS AMENDMENT BILL.—(No. 371.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. D. Crawford.*)

Sir W. Harcourt

The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): Perhaps the hon. Member will bear in mind that this Bill, which I understand will be of great public utility, directed more especially to conditions that obtain in his own constituency, may give rise to questions affecting other counties, and therefore it is desirable, in order to afford proper opportunity for consideration, that Committee should be deferred to a distant date, consistently, of course, with this period of the Session.

Mr. D. CRAWFORD (Lanark, N.E.): I gladly accept the suggestion of the right hon. Gentleman, and propose to set the Bill down for Committee on Wednesday.

Question put, and agreed to.

Bill read a second time, and committed for Wednesday next.

LOCAL GOVERNMENT (SCOTLAND) ACT (1889) AMENDMENT BILL.—(No. 359.)

Read a second time, and committed for to-morrow.

EVICTED TENANTS (IRELAND) REINSTATEMENT BILL.—(No. 362.)

SECOND READING.

Order for Second Reading read.

Mr. T. W. RUSSELL (Tyrone, S.): I should like to know if the Government have considered this Bill, and what action they propose to take upon it.

Second Reading deferred till Monday next.

CORN SALES.

Select Committee on Corn Sales nominated of,—Sir Edward Birkbeck, Mr. Esslemont, Colonel Eyre, Mr. Farquharson, Mr. Leveson-Gower, Mr. Gray, Mr. Seale-Hayne, Mr. Lewis, Mr. Maguire, Mr. Rankin, Mr. Halley Stewart, Mr. Mark Stewart, and Mr. Jasper More.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Jasper More.*)

CORK (COUNTY AND CITY) COURT HOUSES BILL.—(No. 373.)

Lords Amendments to be considered forthwith; considered, and agreed to.

House adjourned at two minutes before Six o'clock

HOUSE OF LORDS,

Thursday, 2nd July, 1891.

CORK (COUNTY AND CITY) COURT HOUSES BILL.—(No. 194.)
PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 104.)

Returned from the Commons with the Amendments agreed to.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 161.)

To be printed as amended by the Standing Committee (No. 207).

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 176.)
COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE DUKE OF ARGYLL: My Lords, in moving the Instruction which I have placed upon the Paper, it is not my intention to interpose long before the House goes into Committee upon the Bill. Perhaps I ought to apologise for the form of the Motion I make and for interposing at all. I am quite aware that, though a Motion to instruct the Committee is a very ordinary proceeding in the other House of Parliament, it is comparatively rare in your Lordships' House; and I must confess that during the many years I have had the honour of being a Member of this House I do not recollect one case in which an important debate was raised upon a Motion to instruct the Committee. However, I see from the precedents which have been put before me that it is a perfectly competent and regular Motion to make, and that there have been numerous cases standing on all fours with the present one. But this is not a matter of importance, because if the object I have in view should meet with the assent of the House, and should be acceptable to the Government, it would be very easy to put the Motion into the form of a clause afterwards in Committee. If, on the other hand, for any reason the noble Lords opposite representing the Government should not be able to accept this addition to the Bill, I should be extremely unwilling, as I am sure your Lordships know from the observations I made a few days ago, to impede the progress of the Bill, or to endanger its safety in another place. I am anxious to direct the attention of the House to what I think the incompleteness of the Bill in a very important matter. I imagine we have all two objects in view. One is simply to multiply the owners of land in Ireland, nothing more. The other is to improve ownership in Ireland. We desire to increase the number of those who purchase, and to improve the value of the article which is to be purchased. I can well understand the noble Lord, who has charge of the Bill in this House, will say that the first of these two objects is the object alone which the Government has in view, to multiply the number of owners, and not to affect the value of estates under the existing law. I confess if that were the only object and effect of the Bill, I should not much care what its fate might be; but I am very happy to feel, and I am sure that the Bill as it now stands, and without any alteration, does in a very important manner affect ownership value in Ireland, and that it will, to a large extent, improve the value of the article which you wish the tenant to buy. The noble Lord who introduced the Bill hardly mentioned at all in his speech the clauses which improve the Land Court and make it more truly a judicial body, which clauses, in my opinion, form one of the most important parts of the Bill. Those provisions will enormously improve the value of the Court, because I know nothing more unfortunate for those who occupy land in Ireland than to feel that the Court before which they are to go, and what we call a judicial body is not a judicial body in any sense of the word, that it does not judge by any known code of law, that it is a purely arbitrary body dealing with the whole agricultural property of Ireland without reference to any known principle at all. Therefore, the clauses in this Bill which tend to improve the Court are, in my opinion, the most important part of the Bill; and I do not remember that the noble Lord, in his opening speech in introducing the Bill, dwelt at all on this improvement in the law. I am not inclined to think myself

An Asterisk at the commencement of a Speech indicates revision by the Member.
Corrected with H.M.'s Government.

that the Bill goes far enough in that particular. I think the Land Court ought to be made still more judicial in its character, not only than it is now, but even as it will be under this Bill, and that the owners and occupiers ought to feel that they are dealing with a thoroughly independant body constituted for the purpose of being under no personal, or political, or Party influences, and dealing with one of the most important interests of the country as judges ought to deal with the lives and property of men. But I cannot doubt that the amendment made by this Bill in that matter will be still further advanced in the times which are before us, and that no civilised people will long consent to the great mass of property in the country being dealt with by a body which is not put upon a thoroughly judicial footing. But besides this question of the improvement in the ownership of lands in Ireland by an improvement in the Law Courts, there is another item in this Bill tending in the same direction, which I do not think has been fully appreciated outside of this House certainly, and perhaps not by every Member in this House. I mean the effect of this Bill in improving the value of ownership, in virtue of the change which will necessarily arise from the existing owners to the tenants who may become owners. This is rather a complicated subject, and I wish to speak under all reserve, especially in presence of so eminent an authority as the Lord Chancellor of Ireland, who must be most intimately acquainted with this subject, because it is a matter of legal construction; and it is an extremely difficult one, because your Lordships will remember that the Acts of 1860, 1870, 1881, and 1887 were all Acts cumulative, one placed on top of the other. They did not proceed by repealing the previous Acts, but they were additional Acts. It is, therefore, a very complicated matter, and it is difficult to know really what is the state of the present law with regard to the tenure of land in Ireland. But the law which operates upon the ownership of land in Ireland is, no doubt, principally the Act of 1881. Now I beg the attention of the House for a moment to what the effect of this Bill will be, if it passes, on the ownership of land in Ireland under the existing law. The Act of 1881 establishes an immense distinction between land which is now let and land which is not let, but which is in the owner's hands. As regards all Ireland, land which is let to tenants is subject to the Land Court, and to all the inconveniences of what are called the "fair rent" clauses; but as regards land which is not let, which is in the owner's hands, it is, to a large extent, free from the embarrassments of the Act of 1881. They can let such land as they please to the highest bidder, and the Land Court has no power to interfere with any step which the landowner may take in letting land which is now in his own hands. That results from the distinction which runs through the Act of 1881 between what are called "present" and "future" tenants. All lands which, at the date of the Act, were in the owners hands, were free from the fair rent clauses of the Act. Now what will be the effect of this Act, supposing the Bill passes, and supposing it succeeds in producing, as is anticipated, a large crop of new owners? I beg your Lordships' attention to the position in which they will be. They will be entirely free from the trammels of the Act of 1881 as regards any bargain they might make for their land in future. Every one of these little owners will be free to let at the highest market rate, and no Court can interfere with them. Now, I beg your Lordships to remember with whom we are dealing. When we talk of these new proprietors in Ireland, remember we are dealing with men, many of whom are below, not only the £10 rent line, but below a £4 rent. I think out of the 600,000 holders of land in Ireland, there are more than two-thirds of them who are now rented below £10, while there are no less than 118,000 who hold only up to £4. There are only 12,000 who are above £100, and only 50,000 who are above the £40 mark. I would ask any noble Lord who is anxious to see peasant proprietorship established in Ireland, what is the position of these men under the existing law, or will be if this Bill passes. They will all be free to let their land at any price they can get for it. I do not object to that. I hold that the value of an article

is what men can get for it, and that attempts on the part of Parliament to jerrymander prices, to diminish them or to increase them, are all measures which will be sure to fail in their object, and to produce great mischief. Those who say that my proposal will put larger powers into the hands of the new landowners in Ireland, have to encounter the fact that under the existing law, that is, when this Bill has been passed, all these wretched little holders at £4 or upwards will be able to let at the very highest rent they please, and there will be no power to interfere with them. This will arise under the existing law, and nobody proposes to alter it as far as I know; but—more than this—under this Bill these men will not only be free to let, but they will be free to subdivide. There is no law in Ireland to prevent a landlord subdividing. Nobody has been mad enough to advocate such a law. Every landowner might cut up every acre in his domain and let it to as many as he pleased. There is no power in the present law to prevent the subdivision of holdings the moment these new men become proprietors. I say, under these circumstances, the question is, whether you ought not to give free power also to the better class of new landowners to do what it is eminently expedient they should have power to do, and that is, to let their improved land on any terms that they may seem fit. I cannot understand, I must say, the feelings of those who have objections to men making the most of their land. It seems to me the mistake that people make now is to imagine that rents are due to the action of the landlords. It is very much like the mistake that was made in the darkest part of the dark ages, when it was believed that the price of corn was due to the "forestallers and regraters," and the outcry they made with regard to that is very much like the outcry now made against the owners of land in Ireland for having let their lands at improved values. The doctrine of free letting will most assuredly be asserted by the small owners. There are hopes entertained that the land hunger in Ireland may have somewhat abated in consequence of the immense emigration that has taken place. We know, according to the Census Returns, that the population has been reduced very nearly one half since the potato disease, and I am told by friends from many parts of the country that they think there is a sensible diminution in the pressure of competition for farms; but, at the same time, when we look at the Returns which have been presented to Parliament, showing the very high prices which have been obtained for tenant right in Ireland, the enormous prices which have been paid in the North of Ireland for "conacre" lettings—they go up to £10, £11, and £13 an acre—I do not think we can rely upon those opinions, and we must face the fact that if this Bill is passed and succeeds in effecting the object which it is intended to effect, they will let at the highest market value, and they will also subdivide, and you cannot prevent it. Now, look at the position of the better class of tenants, those between the £20 and £50 line. If there is a class of men in Ireland that you should wish to see placed in the position of small owners I should say it would be the higher class; and perhaps I should go further, and include those who are called comparatively large farmers in Ireland—men who are above £100 a year. What is likely to be their conduct if they are sensible men, if they are men with the interests of agriculture at heart and know how to promote it? They will have the security of tenure which they possess as new proprietors, being free to let their land as they like; they will make great improvements, they may drain and fence their land, they may do everything, supposing them to be as intelligent as I hope they will turn out to be, that any of your Lordships would do on your own large estates. What is the condition with regard to them? You do not allow them to purchase except on one condition: that any tenant to whom they may let their land shall have the power of selling the occupancy to the highest bidder. That is the law as it stands under the Act of 1881. The new owners will be able to let for the first time at the full rent which the market will supply, but only on the condition that the tenants shall have the power of selling that which they have done nothing towards creating. Having once let in a tenant, the new owners cannot prevent him from exercising the right of selling the

holding which has been improved and built upon by another man. Under the Act of 1881 no owner of land can let except under the provision that the tenant shall have what is called tenant right, and shall be able, therefore, to sell the landlord's property. Now, I ask, is this a rational state of the law? Is it a rational thing to insist upon even when both parties agree to a more rational arrangement? You are giving power to the poorest people to do what it is not to the public interest they should do, but the higher and better class of tenants you do not put under a condition which is rational for them. That is the reason why I wish to see free trade in land in Ireland established as regards that class of tenants, and I do not know what objections can be made to the proposal. I myself, indeed, have a full conviction that if this Bill passes, and if it succeeds in its object, and if a very large crop of new owners arises in Ireland, they will not long tolerate the absurd and irrational restrictions of that kind upon them imposed by the Act of 1881. That is why I should vote for the Bill through thick and thin if no such amendment were adopted by the Government, because I believe it will come sooner or later; and though the noble Marquess opposite (the Marquess of Salisbury) and his colleagues may object to my Motion in form I cannot believe that they object to it upon its merits, although I can conceive they may object to it on grounds of present convenience. Now I know what is the real cause of the objection to this clause in many minds. It is because they do not wish to see re-established what they call the relation between landlord and tenant. You cannot get rid of the relation between landlord and tenant. Small owners are just as likely to let as big owners, and a great deal more. I was told this morning a fact I did not know before, that a large number of small peasant proprietors in Belgium combine together—perhaps 150 or 160 small proprietors—and they let their land to one man. There you have the relation of landlord and tenant re-established, though under somewhat different conditions. Therefore I say you cannot prevent that relation being re-established in Ireland, and you ought not to prevent it if you could. If that is the state of matters is it not better to say, once for all, that the new owners shall be free to contract on what conditions are suitable for both parties? I always feel in this matter that we are going back to the most ignorant times of the dark ages when the Legislature prevented two parties agreeing together on such terms as they thought expedient. It is the old story of trying to prevent usury, of trying to prevent forestalling and regrating. It is a policy, or rather an attempt, that is condemned by the first principles of political economy. When you are taking a new start, and starting men upon a new foundation altogether, when you have these new proprietors whose land will be free from all previous claims, upon whose properties you cannot say that anything has been done by anybody but the landlords, why is it that you should not start free? Why should you not start with these doctrines of free competition? As I said before, I do not wish to press this Motion if the Government are unwilling to accept it, because I am certain the result will arrive sooner or later if the Bill succeeds in producing a large crop of new owners. But I see there are other difficulties in the way. I will not assume that the Government are like the tenants in Ireland whom the noble Lord (the Marquess of Waterford) described to us the other night in his interesting speech. He said, "You are trying to provide for what is to happen 49 years hence;" and he said, "Why, to an Irish tenant 49 years is an eternity; they do not think of what is to happen 49 years hence." But, my Lords, are not we to think of what will happen in 49 years' time? The Marquess of Waterford said that when he spoke to his tenants about the 49 years they asked him, "Where shall we be 49 years hence?" My Lords, we may all say the same thing. That is about the period I have had the honour of being a Member of this House, and I hardly see a single face which I remember when I first entered it. We shall doubtless all or nearly all be gone 49 years hence; but we must remember that the deeds we do and even the words we speak, the doctrines we announce, the principles we lay down in our legislation will survive our individual lives; and I maintain that all of us, if we can, as

The Duke of Argyll

Members of a House of Parliament, ought to try to establish a sound doctrine as regards the relation of landlord and tenant in Ireland, and not perpetuate the delusions and snares under which they now exist. I cannot help pointing out to the House the very different results which have come about from the land reforms in our legislation during the last ten years, and the results which have come about from the land legislation in Prussia. In the early part of the land agitation I used to hear a great deal about the doctrines of Stein and Hardenberg. They were quoted as an example for the Government to follow. They had to adopt a great reform in Prussia, and to deal with a state of affairs which was infinitely more complicated than we have had to deal with. But how is it they have succeeded in their legislation? Why has the German legislation been permanent. No similar or amended Act has been required there, and why was that? Because those German statesmen were not driven from pillar to post by the necessity of consulting the views of opposing political parties. They were not mere Opportunists, they were not men who were compelled to run in the line of least resistance, however foolish they knew that line to be. They studied the subject; they laid down abstract principles which they knew to be sound. Above all, they came to England and studied in this country our system of land legislation, and they determined that free trade in land should be established, and that all those restrictions which were inherited from the Middle Ages in Germany should be abolished. They made that the basis of their legislation, and they have succeeded. But what have we been doing? We have been going on from 10 years to 10 years "meddling and muddling," as the late Lord Derby said, unsettling everybody and everything, and settling nothing. Are we never to try to adopt those sound principles in this House which every one of your Lordships in private conversation admits to be sound, but dare not lay down or attempt to carry out in public? I earnestly commend this Motion to the decision of the House, and for the adoption of Her Majesty's Government; but I am pleased to think, whether you adopt it or not, that if you succeed in multiplying the number of owners in Ireland they will themselves see that they possess the perfect freedom which they ought to have over the property they have acquired.

Moved—

"That it be an Instruction to the Committee that they have power to provide that purchasers under the Act when they have completed their purchases, and when the last instalments of the said purchases have been discharged, shall be free to let their holdings so purchased, whether by lease or other tenure, on whatever terms may be agreed upon between the owner and lessee; and that contracts to this effect between such owners and lessees shall be binding on both parties; provided always, that all such lettings or contracts shall be in writing."
—(The Lord Sundridge [*D. Argyll*]).

*EARL COWPER: My Lords, perhaps I may say a few words upon the subject of this Instruction. The object of the noble Duke's Motion, if it has any object at all, as far as I can make out, seems to be to restore the state of things which existed before the Acts of 1870 and 1881. In the first place I do not know whether it is advisable to legislate for anything 50 years hence. It does seem to me, considering how much legislation there has been, and is likely to be, on the subject of land in this country as well as in Ireland, it is rather unnecessary to look so far forward, but I should be sorry that anything went out which showed that it was our intention, however remotely, in passing this measure, that even at the end of 50 years facilities should be given for the establishment of a number of small landlords in Ireland, small landlords with complete power over their tenants, who would be unprotected by tenant right or anything else. There is a great deal to be said for the position of a large landlord, having a rental, it may be, of a thousand a year, for in this country, and even in Ireland, with all the restrictions which have been put upon him, he may be a blessing to the country. He may undertake improvements which cannot be undertaken by smaller owners or occupiers, such as carrying out systems of drainage which cannot be done by a number of small people without difficulty; he can regulate the right of cutting turf where such exists; he can

benefit the labourers on his estate not only by giving them employment, but by way of charity also; he can watch over and care for the interests of his tenant, and if he feels that the tenant is in difficulties he may remit his rent or give him time. There is a great deal to be said for the large landlord, but we have deliberately decided that it is a good thing to afford facilities for getting rid of him. Surely, if this is so, everything that can be said in favour of getting rid of the large landlord can be said a hundred times more for not establishing a system of small landlords. The small owner is merely an encumbrance upon the land, and is no use to anybody. We can recall the times when landlords had it in their power, if they were inclined, to be arbitrary, though for the last ten years the landowners in Ireland have been much more oppressed than oppressing, and they have had great difficulty in collecting their rents; but there is no doubt that, even down to the recent times that I can remember, there was considerable oppression, giving a reason for the Land Acts which were dassed; and I ask anybody who knows what took place then, whether it was not almost invariably the case that the worst acts of oppression were perpetrated by the small landlords, who could not afford to be generous, because they had only enough to live upon. If this Instruction means anything, it means that in 50 years' time facilities shall be given for the establishment of small landlords throughout Ireland, whose tenants shall, in fact, be entirely at their mercy, without the protection of the Acts of 1870 or 1881. Either this Instruction is perfectly useless—as I think it is, for it is nonsense to legislate for 50 years hence—or if it has any effect at all it will do harm, in showing that there is a mistaken intention on the part of Parliament; and I trust, therefore, that the Instruction will not be accepted. I will not venture to say more than these few words, as I do not desire to detain your Lordships.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): The speech of the noble Earl who has just sat down is a very remarkable one. It is the first declaration I have heard in Parliament in favour of maintaining large estates and large proprietors to the entire exclusion of small landlords. I used to hear of the country gentry as being of considerable value to the State, and our grandfathers were never tired of expatiating upon the advantages which such a class were to the State; but it is a proof of how very rapidly we are moving, and what strange fields we are invading, when my noble Friend denounces small landlords as being in themselves a positive mischief to the State. I do not in the least differ from my noble Friend in what he says as to the advantage of having large landowners. My noble Friend in his own capacity shows of what enormous value a large landowner can be to a country; but I think there is a danger in our present legislation and discussion of attaching too much value to laudable and philanthropic sentiments. After all, the mass of mankind must get on by bargain and sale, with a recognition, of course, of principles of justice as enforced by law; and, unless your system is such that it will work on the ordinary principles of self-interest which guide men, your system will break down. However much you may admire these noble sentiments of which my noble Friend has made himself the spokesman, they will not work the machinery of a State or of society. Your system must be such that the ordinary enlightened selfishness of mankind can work it, or else it will not answer. I have no objection to the principle of the noble Duke's proposed Instruction to the Committee, but I think it is outside the scope of the Bill, and would interfere with the passing of the measure. On that ground I should ask him not to press it. I am entirely of his opinion, that not only should the purchasers have the liberty, but that they will have the liberty he desires. The great advantage of economic laws is that they do not depend upon Parliament for their existence or validity; and if Parliament is misguided enough to think that its omnipotence can contradict economic laws Parliament will have a heavy fall, and economic laws will be the conquerors. The question of landlord and tenant is always argued in this country as if the landlord must be the big man and the tenant the small man; but that is not

always the experience. The noble Duke alluded to the case of Belgium. I am familiar with the case of France. Everybody there, I think, admits that the system of small proprietorship is the sheet-anchor of the State, and that nothing could have enabled France to pass practically unscathed through the successive revolutions from which it has been her destiny to suffer but the enormous number of her small proprietors, who, whatever the administrations or the Governments might be, held on to the rudimentary principles of law and order and individual rights, and enforced them on their Governments. In France it is by no means the case that the landlord is the big man and the tenant the small one. There are, of course, plenty of instances of that kind, but there are plenty of instances of the opposite kind. It is the commonest thing in the world to find a whole tract of country held by one man, but it is owned by a countless number of owners, who all agree to be the landlords of that one man; and in that condition of things the most perfect freedom of contract between landlord and tenant is absolutely essential. And you will find in Ireland that in the long run, whatever you may declare in Acts of Parliament, unless you allow men to do as they like with their property they will neglect their property, and they will not put it to the best and most profitable use to which it can be put. I merely rose to notice the very remarkable development of opinion of which my noble Friend has made himself the mouthpiece. The doctrines laid down by the noble Duke are undoubtedly the doctrines of sound economical science. I believe when we have once established, as the last five years have greatly tended to establish, the restoration of the sanctity of contract and the maintenance of law and order in Ireland, these economic doctrines will have full play and will assert their supremacy, and men will do as they like with their own. My noble Friend alluded to the success of Stein and Hardenberg. No doubt they were able men, and their proposals were animated by a very sound view of political economy; but the real advantage which German statesmen have had is that a rigid legal contractual system has existed during the whole time that experiment was being tried. It might seem a paradox, but I would almost say that even the Act of 1881 would have succeeded if you could have enforced law and order in Ireland. People will fit and arrange themselves to any system of law, however absurd, and will make allowances to each other, if they are certain that they will be able to count on the prospect of their neighbours keeping their bargains, and upon the law enforcing those bargains if their neighbours refuse to fulfil them. That is the one necessity, and that is the essential foundation on which all civilised society must be based. If you provide that, I believe the sound economic doctrines which have been propounded by the noble Duke, which are merely the instincts of a sage self-interest, will grow up of themselves and establish themselves; and I have no doubt myself that if this Act succeeds, and a large number of proprietors exist in Ireland, they will demand and insist upon the common privilege of all free men to do what they like with their own.

*THE DUKE OF ARGYLL: I beg to withdraw the Motion.

Motion (by leave of the House) withdrawn.

LORD CASTLETOWN: My Lords, as I was prevented from having an opportunity of speaking on the Second Reading, I may be pardoned for asking, by the courtesy of the Government, to be allowed to say a few words. The deep interest which I have taken in the land question must be my apology for trespassing on your Lordships' time for a few minutes. In 1884 I had the honour of moving a resolution in this House which had for its object very much what will be accomplished by the Bill now before the House. I predicted then that it was absolutely necessary and essential that a large and comprehensive measure, if possible, for land purchase should be introduced. I find that my prophecy is about to be fulfilled. I tried, when I did not succeed on that occasion, to induce the Liberal Government of that day to introduce a Bill dealing with this question, and I think I had nearly succeeded, as I believe my noble Friend the Lord Lieutenant of Ireland of that time will admit, when unluckily that Government went out of office. Then

Her Majesty's Government, the Conservative Administration of 1885, introduced the Ashbourne Act. That Act has been an undoubted success. I myself have had many opportunities of seeing the success of the working of that Act. I have seen men who were thriftless and careless farmers become, under the operation of that Act, intelligent and improving farmers. I have seen agricultural improvements carried out under that Act which were never attempted under the other conditions which obtained before they had purchased their holdings. We know perfectly well—we have heard it in this House—it has been stated during the debate on the second reading—how punctually the payments have been made by the purchasers under that Act; and I am convinced that, unless some absolutely insensate act of folly is committed by some succeeding Government, the instalments under that Act, and under the present Bill when it becomes an Act, will undoubtedly be paid as punctually and regularly up to the end of the term. Now let me come to the Bill itself, and in the first instance let me ask Her Majesty's Government to consider one point. It may appear a trivial point, but it is in some respects an important one. I notice that in the Bill the Lord Lieutenant's name occurs in an enormous number of instances, and I cannot help thinking, when he finds all those numerous duties placed upon his shoulders, that he will find it difficult to discharge them all. There is only one person in history who reminds me of the position of the Lord Lieutenant, as that position will be under the present Bill, and that is the position of a Japanese nobleman, whose name and whose history is told in a very amusing opera called *The Mikado* —Pooh-Bah. He, unfortunately for himself, was entrusted with an enormous number of different offices, and the Lord Lieutenant of Ireland, under the present Bill, is entrusted with almost as many. He is almost Lord Chancellor; he is certainly the Lord High Executioner in case of default; he is the Lord High Almoner in case of distress; he is the Lord High Chairman of the future County Councils; and, in point of fact, he is the Lord High Everything of everybody inside and outside the Castle.

Lord Castletown

I would beg Her Majesty's Government to consider the question whether the Lord Lieutenant should not depute some of his numerous duties to some such body as the Land Commission, or the Privy Council, which, I believe, is one of the most valuable bodies in Ireland. Now I come to the Guarantee Clauses, and those I will touch upon very rapidly. They appear to me to be ample, clear, and almost superfluous in their multiplicity. They guard the British taxpayer in every way. But there is one clause to which the noble Lord (the Marquess of Waterford) referred, which may be called the Calamities Clause, and which will, I hope, be dealt with in the House to-night when we get into Committee on the Bill. Then I come to Clause 10, the classification of advances. On that clause, when we go into Committee, I hope I shall be allowed to say a few words; therefore, I will not detain your Lordships on it now; but I would ask the House to consider very seriously whether it would not be much wiser to leave to natural economic laws the distribution of the money which you provide under this Bill. There are amendments down in regard to this clause which I notice, and I cannot help thinking that one or other of those Amendments might meet the difficulties of the case, and might provide a more simple and feasible way of disposing of the matter. There is one power which I regret very much to see is not in the Bill, that is the power of paying Government charges with Government money. It looks rather as if the Government were a little ashamed of the paper they are going to issue to the Irish landlords. I am glad also to see the power given to the public to purchase in the open market, or through the Post Office, these Guarantee Land Bonds. The advantages which they offer are very great, and will popularise the Land Bonds, as the interest is higher than the normal rate; and that will rather induce men who have purchased these bonds—they will be principally Irish investors in the Post Office—to urge their relations and friends who may have purchased their holdings to pay up their instalments punctually, Now I come to one great blot, in my opinion, in the Bill, and that is the question of administration. If Her

Majesty's Government had, in the other House of Parliament, boldly utilised the time which I must say was wasted upon a certain Amendment, in passing through that House the Land Department Bill, I fancy they would have found that the administration would have been very much benefited and very much improved; but what have they done at the present time? I want your Lordships to consider this point very seriously, because really, to my mind, the whole crux of the Bill is that they have imported into the Land Purchase Court the Fair Rent Commission. In my opinion nothing could be more unwise. The whole advantage, in my opinion, of land purchase, and I may say the one reason why I have advocated land purchase through thick and thin is, as the noble Duke has said, that in some respects it brings back voluntary agreement and freedom of contract. The Land Purchase Commissioners under the Acts of 1885 and 1887 have administered those Acts courageously, fairly, and conscientiously. I believe no one can say anything against the manner in which they have administered those Acts. They have refused in many instances—and that is one reason of their popularity—in cases in which I should be loth to term by too strong language, but which one may call jobbery cases—to act upon pressure. They have kept a clear, distinct line between freedom of contract and pressure. They have safeguarded the Treasury in every instance, and my belief is, if it can be possibly managed, it would be most valuable to keep the two sections of the Land Commission absolutely apart in the Bill now before the House. I should like to say one thing more upon this matter before I leave it. I noticed in the other House that a distinguished Baronet said the opposition that was raised to the Land Purchase Commissioners emanated from the landlord party. I do not think that is the case. I have myself sold under the Ashbourne Act, and I am convinced that nothing can be fairer or more conscientious than the action of those Commissioners. I think if there have been objections to them, they have emanated not from the landlord party, not from any landlords in Ireland, but from certain people who have found that arrangements which they wished to carry out under those Acts have been thwarted by the conscientious management and treatment of the cases by those Commissioners. There are two or three other small points which I should like to urge upon your Lordships. What we want to do, and what I am convinced that all those noble Lords who have estates in Ireland are anxious to do, is to make the Bill which the Government have introduced a workable Bill. We do not want to find after a year or so that we have to come back immediately to Parliament for a further development of the powers contained in it. What we all desire to do is to make the Bill an easy working measure, and I believe that it will move without friction. For that purpose I will, with your Lordships' permission, introduce some Amendments, dealing partly with legal questions and partly with matters which will make the Bill feasible and workable. I think I have now spoken long enough, and I am certain your Lordships are anxious to get into Committee on this Bill. I believe that the passage of this measure, and its work, will—if your Lordships permit it and if Her Majesty's Government permit it to be made a workable and useful Bill—mark a great era in the history of my country. I believe you will find, and the English taxpayer will find, that my countrymen, when they have become possessed of their holdings—I am convinced of it—will pay their instalments regularly, if they are not egged on by statesmen or agitators to repudiate them, as they may possibly be. I believe your Lordships will find this Bill will meet the great want in Ireland at this moment, and that it will create not so much the small peasant proprietors as it will establish a large yeoman proprietor class, who will constitute a middle class and be a balancing power in that country. My countrymen, Irishmen of all views, are grateful to Her Majesty's Government for introducing this measure and for carrying it so far to an issue; but I think also that Her Majesty's Government owes in some measure a deep debt of gratitude to those Irishmen—and I would speak modestly on this point—who have urged in season and out of season that to facilitate land purchase is the solution of the land question. I think I may say that in my knowledge, with almost a

unique experience, you have the first instance of the Imperial Government bringing in a measure for Ireland the initial sketches for which were furnished by Irishmen—a measure initiated by Irishmen, which I hope will be passed by Her Majesty's Government, as it will be passed with the good will and hardly with a dissentient voice among all classes in Ireland. There was, no doubt, friction in the other House; but there is no doubt that all sections of the Irish members were anxious that the Bill should pass into law. We have seen the same thing here, and I think I may say safely that if this Bill is made workable, as I believe it can be, and if Her Majesty's Government will permit us to do that, the Bill will have a happy and rapid progress through your Lordships' House.

Moved that the House do now resolve itself into Committee.

Agreed to.

House in Committee accordingly.

Leave given to the Lord Tyrone (M. Waterford) to speak sitting in the said Committee, and to vote in the House.

Clause 1.

*THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, I have to move in page 1, line 11, to leave out "landlord and tenant," and insert "vendor and purchaser"; and in line 17 to leave out "June and December," and insert "July and January," as the months on the first days of which the half-yearly payments of annuities should be made.

Amendments agreed to.

Clause, as amended, agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

LORD CASTLETOWN: My Lords, the Amendment that is on the Paper in my name upon this clause provides for the following arrangements. The object of it is that in the purchase of a holding the purchaser who is inclined to do so shall be permitted to pay one-fourth himself; therefore the Government will only advance three-fourths of the whole purchase money. The State and the local Authority will, in this payment by the purchaser, have substantial guarantee in cash from the purchaser himself. This is an advantage. Again, the landlord, on his side, who is selling, will have to put down or to allocate no guarantee deposit. This is an advantage and will very likely facilitate sales. Again, the tenant in the case which is dealt with by my Amendment will be absolved. I ask Her Majesty's Government to absolve him, if he makes that advance during the whole period of 49 years, from the payment of the county percentage. I think that is a fair request to make. Finally, I think, so far as I have been able to study the financial scheme of Her Majesty's Government, the proposal which is here made does not in any way vitiate the financial scheme, but will work in with it. I therefore ask Her Majesty's Government to accept the Amendment, as in a great many cases it will be availed of in the future—not at first probably, but men will come to see the advantage of it. A man who has money to invest will say he would rather put down his one-fourth, and receive what would be practically 6¼ per cent. upon it. Therefore it is quite possible in the long run that great advantage will accrue to the tenant purchasers, while, three-fourths of the money being advanced by the Government, it is an advantage equally to the State.

Moved, in Clause 4, page 3, after line 31, to insert as a new paragraph—

"Provided, nevertheless, that notwithstanding anything in the Land Purchase Acts or this Act, any advance made after the passing of this Act which shall not exceed three-fourths of the price paid for a holding, shall be repaid by an annuity of three pounds fifteen shillings per cent. on the amount of such advance for forty-nine years, and no payment shall be made to the Guarantee Fund by way of county percentage in respect of any such advance."—(*The Lord Castletown.*)

*EARL CADOGAN: My Lords, I personally, and I think I may say so on the part of the Government, have no objection whatever to the Amendment which the noble Lord has moved. In my opinion it is calculated to encourage purchase on the part of the tenants. I do not know that any appreciable risk would be incurred by adopting the Amendment, and, therefore, I am prepared to assent to it.

Amendment agreed to.

*VISCOUNT DE VESCI: My Lords, I have an Amendment with regard to the guarantee deposit. The object of this Amendment is to provide, in cases where instalments of annuity are in default and are declared to be irrecoverable by ordinary process of sale in the open market. The owner of the guarantee deposit may elect to have the whole amount of such debt transferred from the deposit to the land purchase account, on condition, of course, that the owner is put in full and immediate possession of the holdings subject to the payment of the annuity. Your Lordships are aware under the Act of 1885 the Land Commission may interfere in those cases, and impound the whole of the guarantee, but the original occupier might still be left in possession. It is true that a nominal charge is created on the holding, and the occupier is required to pay 3 per cent. in addition to his annuity; but I doubt very much whether my noble and learned Friend the Lord Chancellor of Ireland will be able to tell your Lordships of any cases where the tenant has been able to pay off the charge. Under this Clause 4 of the Bill greater advantages are offered to the owner of the guarantee deposit, because in the event of the debt being adjudged irrecoverable only half is taken from the guarantee deposit, the other half will be borne by the guarantee fund. It is quite true it is open to the owner of the guarantee deposit to repurchase the holding in hard cash, but I submit it is hard to ask him to do this, when he has in the hands of the Land Commission land stock for the purpose of meeting such a case as this. I have endeavoured to put the case from the point of view of the owner of the guarantee deposit. It is only optional with him to put it in force, but I should like to put it in the point of view of the public purse. The guarantee fund under my Amendment would be absolutely untouched. Another advantage is that, instead of insolvent, you will get solvent occupiers, and the balance of the guarantee deposit would be left untouched as a safeguard against any possible future default. I have the honour to move the Amendment which stands in my name.

Moved, after line 43, to add—

"Where the Land Commission have declared the whole or any part of an instalment of the purchase annuity to be an irrecoverable debt, they shall, on the application of the owner of the guarantee deposit, transfer to the land purchase account, from the guarantee deposit, the full amount of such irrecoverable debt, and put such owner into possession of the holding, subject to the payment of all future instalments of the purchase annuity."—(*The Lord De Vesci.*)

LORD CASTLETOWN: I cannot for myself see how in any way this can militate against what is the immediate object of this Bill, which, as far as I can see, is to create a greater number of solvent landlords. It is quite clear this provision will not come into operation until all the security which the tenant has paid for is exhausted. If that is so, they would be at a deadlock, and it would be a great advantage to the landlord if he would be able to take up the transaction by making himself liable not only for past deficiencies but for those occurring in future. I was much struck by what fell from the noble Marquess at the head of the Government. He said that he hoped that landlordism would still continue in Ireland, and it might be of great importance to a landlord where such a case arose close to his own domain or adjoining his own farm that he should get possession of the property rather than it should lie idle. I trust, therefore, Her Majesty's Government will say that it is in their power to accept the Amendment.

*THE LORD CHANCELLOR OF IRELAND: My Lords, as I understand, the object of this Amendment is to enable the landlord to get into possession of a holding where the debt has been declared irrecoverable without having any processes of public sale or public auction. As I understand, that is the object of the Amendment. It is desired that, when the debt from a purchaser to the Land Commision is declared to be irrecoverable, a landlord whose deposit might be come down upon for a portion of that amount may say to the Land Commission, "I desire to stand in the position of the defaulting purchaser in respect of the irrecoverable debt; I ask to go into possession of the holding, and to become liable for all the instalments." The object of the Amendment is to do that at once without the intervention of the present machinery of a public sale.

*VISCOUNT DE VESCI: No, if I may be allowed to explain, it is the sum due. The Land Commissioners will not declare it to be an irrecoverable debt until they have exhausted all means of obtaining payment by public sale. They will then call upon the owner of the guarantee deposit, and state that they will have to impound it.

*THE LORD CHANCELLOR OF IRELAND: Then I am afraid I do not quite follow the objection, because, if this is a procedure after the sale, *ex hypothesi* there must have been a sale advertised which the landlord could have attended and bid at, where he could have bought in for a less sum than the amount of the debt; and, what is of perhaps greater importance in these proceedings, the public could have seen that it was a perfectly open transaction before the world between the defaulting purchaser, the landlord, and the public, and that if a low price only was bid for the property that was the fortune of the sale, while if on the other hand a substantial sum was bid in advance the State and the landlord as well would get the benefit of it. I do not think it would be expedient in the administration of the Act and in the interest of public policy to substitute for this perfectly open and above-board proceeding one that might become a private one, and one that would probably lead to suspicion, and I do not see that it would be for the benefit of the landlord, in whose interest the Amendment is presented to us by the noble Viscount, because at present they can go into the market and buy at whatever price they can according to the chances of the market, and I think that is an adequate protection.

A noble LORD: Will the noble and learned Lord inform the House whether the guarantee deposit is first of all called upon, or whether the sale is the first protest where the debt is pronounced irrecoverable, because it all hinges upon that.

*THE LORD CHANCELLOR OF IRELAND: All the processes are to be exhausted by procedure against the tenant by sale before the other machinery of the Act comes into operation.

THE MARQUESS OF WATERFORD: I think the noble and learned Lord is wrong on this point. He has pointed out to your Lordships that the landlord can buy at a less sum than the amount of the debt which is due, but how could he? The Land Commission inevitably bids up the price to the amount of the instalments which are due by the tenant, and therefore it would be impossible for the landlord to buy at a less sum than the amount which is due. I would put this to the noble and learned Lord: Suppose it is an ordinary transaction, if anything valuable is put up for sale by the noble and learned Lord or anybody else, I have no doubt he would himself attend, or would send a representative to bid up the property to its value. The Land Commission is not different in that respect. They will, of course, protect the estate, and I entirely agree with all the noble Lord has said as to the Land Commission having managed admirably under the provisions of the Purchase Act during the six years they have been acting. They have managed extremely well, and they have protected the estates in every way in their power. Under this Amendment, which I hope Her Majesty's Government will see their way to adopt, it is an absolutely simple matter. It only proposes that this shall be done after every means have been exhausted which could be adopted, including sale before the debt became absolutely irrecoverable; that the landlord should have his guarantee deposit—the whole instead of half the guarantee deposit, and should be put into possession of the holding subject to the annuity which is due to the Government. That would place the landlord in possession. It would not prevent him having to attend at the sale and bid against the tenant purchasers, who, I assume, your Lordships are most anxious to encourage. He would only come in if there was no tenant purchaser at all, and I think it is only fair to ask that he should then be put into possession of the holding without all the machinery and expense attaching to a sale. He will have to pay everything that is due to the Government. This is an Amendment which was proposed in another place by an extremely Radical Member. It is not only to protect the guarantee deposit, but to protect the guarantee fund as well; but there is, in addition to the half sum of the guarantee deposit, another half added, which if the Bill were left as it is would come out of the guarantee fund; therefore, I

trust Her Majesty's Government will see their way to accept this very reasonable Amendment. It can only come into operation after every other process has been exhausted, and that being so it is only reasonable to ask that the Government should turn to the only purchaser they can find, who is the landlord.

LORD HERSCHELL: I do not profess to understand this matter very deeply, but, as I gather, before being declared irrecoverable every means must be exhausted to recover the debt, one of which means is sale. The noble Marquess says the Land Commissioners will put a price upon it which will not be less than the amount remaining due; but supposing they do not find a purchaser at that price, I apprehend they would still have the sale and make the best terms they could, and if they found they could not get any purchaser at the amount of the instalments remaining due, they would have to take something less.

THE MARQUESS OF WATERFORD: They never do take anything less; they are bound to insist upon the whole of the money being paid.

LORD HERSCHELL: If they can get it, no doubt; but if they cannot, they must do their best to sell the property, and I suppose the former landlord then can buy it for less.

THE MARQUESS OF SALISBURY: Does my noble Friend's proposal mean that if the Land Commissioners buy in, which I do not think is very regular, they will then remain proprietors of the estate, and not sell it?

THE MARQUESS OF WATERFORD: They will certainly attempt to sell it, and will do their best, no doubt; but in certain districts the only possible purchaser will be the landlord.

THE MARQUESS OF SALISBURY: Then what is the use of the clause?

THE MARQUESS OF WATERFORD: Because it places the landlord in the position of having half the fund taken. It protects the guarantee fund as well as the guarantee deposit.

*VISCOUNT DE VESCI: As the noble and learned Lord has admitted that they are bound to put up the property at the price of the whole debt, they cannot sell it for less, and it is only after that that they declare it an irrecoverable debt. It is only then that this clause can come into operation when the sale has become an abortive sale. What I wish to put forward is that when the Land Department come to the owner of the deposit and say, "You must either purchase or not and forfeit half of the deposit," he can say," "Do not do that; take it out of the land stock and put me in possession;" but the debt must have been adjudged irrecoverable at first.

*THE LORD CHANCELLOR OF IRELAND: I do not think the noble Lord has realised that there must be a sale. That is, a sale which is to get rid of the holder. Anyone can bid at the sale, and the old landlord can go in and buy if he likes. He can bid to the amount of the irrecoverable debt, or as he pleases, and then it is for the Government to say what they will do. But the fact is, the landlord can go in and buy. He becomes the purchaser, and it is sold to him. It may be a question of practice and procedure, but I know of nothing to prevent its being done.

*VISCOUNT DE VESCI: I doubt very much whether he is allowed to tender land stock under the clause. If he goes into the open market he should be in a position to say, "I offer you the land stock which is in the hands of the Commission," but that the Bill does not allow.

Amendment negatived.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6.

Verbal Amendments made.

*THE EARL OF KINGSTON: My Lords, I have an Amendment upon this clause to insert a new section. I do not think it will be necessary for me to say more than a few words upon the Amendment which stands in my name, because I believe that your Lordships will see it is necessary, not to say vital, to the whole working of the Bill in certain districts in Ireland. Some of your Lordships may be aware, though others may perhaps not be so well aware, that in Ireland there is a considerable mining interest. There are are large fields of coal, large deposits of iron ore, which under actual experiment and analysis has been proved to be second to none, if not superior, perhaps, to any iron ore in the United Kingdom. Besides

the coal and iron there are extensive quarries of granite and limestone; and there is also fireclay in large quantities; but I will not impose upon your Lordships a list of what there has been discovered, and certainly not of what has not been discovered; but we may take it that hidden under the surface of Ireland there are probably many millions' worth of mineral products. Those districts where the minerals occur are scattered pretty widely over the whole of Ireland. They exist in the north, in the south, and in the west, and I have had a hint that, to some extent, they exist also in the east. I think I am correct in saying that in those mining districts the population is pretty thick, so to speak, and chiefly composed of small tenant farmers, all of whom would come under the action of this Bill which every Member of this House is so anxious to see passed—and not only passed, but to see it become a success and a blessing to Ireland. But a difficulty arises in the fact that owners of land will be quite unwilling to part with it unless their mining rights be reserved to them. They understand perfectly well that those mining rights grow. They are perhaps not very valuable at the present moment, they may not perhaps be very valuable to themselves, even in the future, yet they may be very valuable to the district. At present they may not gain very much by the possession of those rights; but in the future they or their successors may hope to do so; and they know perfectly well that, if they part with their lands and the rights in connection with them, what may be useless enough to them now would be perfectly and utterly useless to the purchasers, because it would be impossible to suppose that any company formed either by local enterprise, or, what would be still better, by the introduction of English capital into Ireland, would be, if I may so term it, mad enough to attempt to prospect or to develop any mining industry, if they had to face the necessity of buying the right of mining from perhaps some hundreds of small owners. It is difficult enough even now, I am told, to get mining leases from owners under present circumstances.—Now, I will say very little more about the Amendment; but what we ask is that the mining rights should be reserved to the vendor in the agreement of sale, and in such a manner that those rights may be shown on the face of the vesting order. The other rights which are mentioned in the Amendment I will not touch upon, because some of them have been reserved under the existing law, and others may be reserved by the consent of the Land Commission. I believe that to negative this Amendment would be to put a fatal stumbling-block in the way of the operation of this Bill in Ireland in certain mining districts which I have mentioned; and the result would be one of two evils: first, to cause the failure of the measure by owners refusing to sell; or, if they did sell, and the Act did succeed in its operation, then you would debar for ever any local enterprise, and prevent the offer of any inducement to the entrance of English capital. Those two things—local enterprise and English capital—are what are most wanted in Ireland. I beg to move the Amendment which stands in my name.

Moved, after Clause 6, to insert as a new clause—

"The vesting order shall be binding upon all persons claiming any estate or interest in the land comprised in the holding, including Her Majesty the Queen, and shall be effectual to vest in the purchaser, and charge the purchase annuity on, the fee-simple and inheritance of the holding described in the order, subject to such exceptions and reservations (if any) in favour of the landlord or any other person, as to mines, timber, and fishery or other rights or easements, as may be specified in the order, in pursuance of the agreements, or otherwise, and subject to any public rights affecting the same, and to the provisions of the section respecting the tenants' interest, and respecting easements, but to save as aforesaid, discharged from all estates, charges, interests, and encumbrances whatsoever, as well of Her Majesty as of all other persons whomsoever."—(*The Earl of Kingston.*)

*EARL CADOGAN: My Lords, the chief objections that I entertain against the new clause which the noble Lord has moved is that it is really absolutely unnecessary. The noble Lord moves to insert in the Bill that the landlord may make reservations, and they may appear in the vesting order; but that can be done under the present law, and therefore there appears to be no reason for inserting a clause to that effect in this Bill. That is done

under Section 8 of the Ashbourne Act. By that section all rights are reserved, and the Ashbourne Act, it is provided here, is to be read in with this Act. Therefore I think this clause is unnecessary, and I hope the noble Lord will not press it.

THE MARQUESS OF WATERFORD: I should like to ask the noble Lord why, if this clause is unnecessary, it was introduced in the Land Department Bill which was brought forward, though I am sorry it did not come to very much, in another place. If it was unnecessary, why did the Government introduce it there? I myself think it is necessary. I think there ought to be powers given to the landlords to reserve all these different rights. Your Lordships are aware that over a great part of Ireland where these purchases have taken place the tenants have been cutting down timber in the most frightful way. Members of your Lordships' House cannot but be aware what happens to a country which becomes denuded of its timber; and when £33,000,000 of property has been bought in the country I believe the whole of the timber in Ireland, or almost all of it, will be swept away. This clause would enable the landlords, by agreement with their tenants, to reserve timber, fishery, and other rights; and I think it is a reasonable clause to be inserted. Of course, if the noble Earl can point out to me that it is really reserved under the Act of 1885, and I can obtain a legal opinion from the noble and learned Lord (the Lord Chancellor of Ireland)—he ought to know all about it, for it is his own Act—I will be satisfied; but I do not believe it is there; for, if it had been there, I am quite certain the Chief Secretary would not have introduced this section into his Land Department Bill.

*THE EARL OF SELBORNE: The noble Lord has said that this proposed clause would only enable it to be done by agreement; but I do not so read the clause. The words are, "By agreement or otherwise," which I confess I do not understand.

A noble LORD: I might perhaps be allowed to say, as Chairman of a Commission which dealt with these matters, that we examined very competent witnesses, who stated that under the existing law these rights had been reserved to the landlord.

*THE LORD CHANCELLOR OF IRELAND: The position of the matter, I think, is this: The noble Lord who has moved this Amendment has taken it from a portion of another Bill introduced by Government last year. The noble Lord leaves out a certain part of the context which precedes and follows it. That will be found, I think, to be the case; and one of the objections to it is that he has taken it out in such a way as to put the recovery of Crown and quit rents in a very precarious position. In the Bill from which the Amendment is taken there was a clause to transfer the obligation of paying Crown and quit rents out of the purchase money. That shows the great difficulty and danger of attempting to add largely to such a Bill as this by taking clauses out of another Bill; because it is quite impossible to add largely to this Bill by such a process. My noble Friend, the Lord Privy Seal, indicated that a great portion of this clause could be worked out quite independently of this provision under the existing law; and I think that is a perfectly accurate statement, because if the landlord is owner of these rights before he makes this agreement, it would be perfectly competent for him to deal with them as he might think proper. Certainly I do not think it either expedient or wise now to overload the Bill by putting in a clause of this description, which would undoubtedly require additions in order to enable it to be worked out, and which would constitute a complicated code; and it might be possible that those additions could hardly be made here, having regard to the privileges of the other House of Parliament.

THE EARL OF ABERDEEN: This clause seems of very little importance to many Irishmen at present, because so few minerals have been found that are workable in Ireland; but all those Peers who come from mineral districts must know that very valuable minerals may, exceeding the value of the land itself, have been discovered; and when the properties have been sold the mineral rights, having been retained, have produced large fortunes to others than the holders of the land. In Scotland I know that to have been the case. It has happened in Ayrshire, and I know in that way

minerals of very large value have been retained, and are now being got by one person while the ownership of the land lies in another. I think the noble Lords on the Front Bench do not object to this; but, on the other hand, the noble and learned Lord who spoke last does not tell us quite clearly that the landlords selling under this Bill have any facility for retaining those mineral rights. I think if the noble Lord (Earl Cadogan) would tell my noble Friend here that he will introduce a clause himself which shall make the minerals perfectly safe, so that they shall not be sold with the land, that would quite satisfy the fair and just desires which he conveys in this proposed addition to the clause.

Amendment negatived.

THE MARQUESS OF WATERFORD: My Lords, I have got another Amendment on the Paper for the insertion of a new clause here, and this Amendment, I may say, was taken very largely from the Government Land Department Bill. I sincerely trust, as my noble Friend has rejected one Amendment, he will not reject this Amendment as well. I have altered it in one respect, and I had better describe to your Lordships what the Amendment is. Under the Ashbourne Acts there was power for a landlord, and that power was very fairly given, to recover 4 per cent. on the purchase money pending the time that the sale was passing through. If a landlord had not that power, he naturally could not have sold, because some of these sales take two years and more. It is a very lengthy thing to prove title in Ireland, and therefore the landlord had power while the sale was being carried out to collect 4 per cent. on the purchase money. That was pending the completion of the sale. The tenant then came under what I may call rent or interest to the Government, but if there was not a clause in the Act of Parliament enabling him to collect that 4 per cent., he would have been out of pocket from the time of the arrangement for the sale being made until such time as his lawyers, who would be carrying it through, should enable him to complete. There was great difficulty found about collecting this interest. The tenants refused to pay, particularly where they had impoverished landlords, and the procedure was very expensive. You had to proceed to recover the debt as if you were an ordinary debtor, and it was very easy for the tenants to avoid those liabilities. I am sorry to tell your Lordships that many landlords who sold, hoping to better themselves, have put themselves in a worse position. They are very much worse off, because they have been a long time in getting the purchase money paid over to them, and during the whole of the time they have been unable to collect the interest from the tenants. You will remember that the landlord has ceased to be a landlord. I do not know that landlords in Ireland are able to collect rents very freely, but they are able to collect them better than they collect these debts. Now this proposal which was brought forward by Her Majesty's Government in the Land Department Bill merely arranges that the Land Commission should collect this interest. Your Lordships must know it must naturally become due, and it cannot be said to be an excessive interest, because the Land Commissioners would send down to value the holding. They would not sanction it if they found that the tenant could not provide sufficient security, and therefore you may naturally imagine that the interest would be reasonable interest. It would be materially lower than the old rent. It must be at least 20 per cent. lower if the tenant buys at 17 years' purchase. I am sure your Lordships and Her Majesty's Government will not stand in the way of this absolutely fair charge. Nobody can say that the late tenant does not owe it, or that he objects to its being collected by Her Majesty's Government. I have put in a clause here—perhaps it was rather wrong for me to interfere with a Bill drafted by Her Majesty's Government—but I have put in a clause which I think will be fairer, not, I may say, to the landlord, but to the tenant. This clause provides that if the landlord creates delay—which is sometimes the case, for if landlords do not their lawyers very often do—the interest after two years shall be reduced to three instead of four per cent., and it provides that the extra 1 per cent. shall be supplied by them in payment or reduction of any instalment of purchase money falling due by the tenant. That is,

to my mind, a fair proposal, and I hope Her Majesty's Government will see their way to accept it.

Moved, after Clause 6, to insert the following new Clause :—

"(1) Where, after the commencement of this Act, the Land Commission shall sanction an advance under the Land Purchase Acts for enabling a tenant to purchase his holding from his landlord, the tenant shall not be liable for rent accruing after the previous gale day for the rent; but the tenant shall not be liable to pay interest at the rate of 4 per cent. per annum on the purchase money as from that gale day until the first gale day for the payment of purchase annuities which occurs after the date of the vesting order; and for the purposes of this section the previous gale day for the rent shall be the gale day next before the sanction of the advance, or, if the advance is made on a gale day, then that gale day. (2) The said interest shall be payable to the Land Commission half-yearly, on the first days of May and November, and shall be recovered by them as if it were an instalment of a purchase annuity charged on the holding, and when received shall, after deducting expenses, be paid by them to the landlord or other person entitled thereto. Provided, however, that the landlord shall only be entitled to receive interest at 3 per cent. on the purchase money, after the expiration of two years from the gale day preceding the sanction of the advance; and the difference of 1 per cent. (after deducting expenses therefrom) shall be thenceforward retained by the Land Commission, when received from the tenant, until the application is disposed of. If the vesting order is ultimately refused such 1 per cent. (less expenses) shall be paid over to the landlord, who shall allow credit to the tenant for same as if it were on account of rent paid by him; but if the vesting order be ultimately made the excess over 3 per cent. which the Land Commission may have received from the tenant as aforesaid shall (after deducting expenses) be applied by them in payment or reduction of any instalments of the purchase annuity falling due by the tenant after the making of the vesting order. (3) If the vesting order is refused the agreement for sale shall become void, or if the agreement has become void from any other cause the tenant shall be liable to pay his rent in like manner as if the agreement had never been made; but any sum paid to the Land Commission for interest by the tenant in pursuance of this section shall be allowed by the landlord to the tenant as if it were on account of rent paid. (4) Every vesting order made after the commencement of this Act on a sale by a landlord to a tenant under the Land Purchase Acts as regards any holding shall vest the holding in the purchaser, and charge it with the purchase annuity, and the first instalment of such annuity shall, if the vesting order is made on a gale day for the payment of purchase annuities, be paid on the next such gale day, and in any other case be paid on the second such gale day, which occurs after the making of the vesting order."—(*The Marquess of Waterford.*)

*EARL CADOGAN: I am bound to confess, when the noble Marquess first put his Amendment on the Paper, I should have found some difficulty in accepting it, but the addition which he has made in the paragraph beginning "provided however that the landlord," which he has very clearly described in our view, takes away the main objections to his clause. It is quite obvious, if it may be said without offence, that if there had been no such provision for lowering the interest it would have been to the advantage of any unscrupulous landlord, supposing there be any such in Ireland, to prolong and delay the completion of purchases. Under those circumstances, I am glad the noble Marquess had drafted the final paragraph, and with that addition we are prepared to accept it. There is a paragraph at the end of the noble Marquess's Amendment beginning with the word "notwithstanding." I do not know whether he includes that.

THE MARQUESS OF WATERFORD: I may tell the noble Earl that I put these Amendments on the Paper as two separate clauses or sections, but I was informed by the Clerk at the Table that it was proper that they should be put down as one.

THE CHAIRMAN (the Earl of MORLEY): As I understand, there are two clauses moved. One is Clause A, which I will put first, and then comes Clause B, which I will put afterwards.

THE MARQUESS OF WATERFORD: Quite so. It is Clause A that I am moving now.

Amendment agreed to.

THE MARQUESS OF WATERFORD Then, my Lord, comes the next Amendment which the noble Earl has called Clause B. By the Act of 1887 there was a power given to the Commissioners to issue a vesting order without the landlord having proved his title. Your Lordships may not, perhaps, have followed what a vesting order is. A vesting order places the purchaser in absolute possession at once. It never can be rescinded, and a landlord who has become a vendor might be in this position: he might have agreed for a sale with his tenant, and the Commission, acting upon that agreement, might issue a vesting order placing the tenant

purchaser in possession; but, after all this had been done, other claimants might come forward. The landlord has not proved his title, remember; and if anybody else comes forward to claim the purchase money, or if the landlord does not succeed in proving his title, the money would be hung up, and yet he would not receive back his holding. He would have parted with his property in the land, and would not have received the purchase money for it. We thought, therefore, it would be very fair if Her Majesty's Government would agree to put in this clause merely with regard to the vesting order, and say it should be made after the investigation of title. The whole Amendment that I want to have made really hangs upon that—that the vesting order shall not be made until after the landlord's title has been investigated, because we hold that it would materially affect the landlords and prevent their selling, if they desired afterwards, so that there might be the chance of their parting with their land and receiving nothing in lieu of it. I do not think many of your Lordships would part with land on those conditions, and I do not believe that Irish landlords would be inclined to do so. I therefore hope the noble Earl will accept this Amendment, because I think it really only turns on the investigation of title before the vesting order is made out.

Moved, to insert also after the Clause last inserted, the following Clause:—

"Notwithstanding anything in any of the Land Purchase Acts, every sale agreed to be made under the provisions of the Land Purchase Acts, instead of being carried into effect by conveyance or assignment, shall be carried into effect by vesting order in the prescribed form; but no vesting order shall be made by the Land Commission until after due investigation of title, and, being satisfied therewith, unless with the consent of the vendor."—(*The Marquess of Waterford.*)

*EARL CADOGAN: My Lords, I am quite willing to accept the first portion of the Amendment which the noble Marquess has moved, certainly down to the word "form" in the fifth line of the paragraph, but I am not able to agree to the further provision that no vesting order shall be made by the Land Commission until after due investigation of title. I think it would necessitate an undue delay. There appear to be many reasons for ensuring that the vesting order should be made as quickly as possible if the agreement has been sanctioned, and if I may refer the noble Marquess to the previous part of his Amendment by which he provides that the Land Commission are to undertake the collection of the interest during those earlier years, surely it is in the interest of the noble Marquess and his friends themselves that the order should be made as soon as possible. Therefore, I hope he will agree to the omission from his Amendment, after the word "form," of the rest of the paragraph. I would also point out that the last line of this Amendment only requires to be read in order for the House to see that it would be impossible to accept it. It runs thus—

"No vesting order shall be made by the Land Commission until, after due investigation of title and being satisfied therewith,"

and then comes a pregnant proviso—

"unless with the consent of the vendor;"

that is to say, a landlord with a bad title who might naturally be disinclined might give his consent, and I think your Lordships would hardly be inclined to agree with that proviso. I trust, therefore, that the noble Marquess will be satisfied if we take his Amendment down to the word "form."

LORD HERSCHELL: I should like to ask, before that Amendment is put, what the reason is for preventing the transaction being carried out by conveyance if both parties so desire? It seems to me this section is intended to prevent it even if both parties should desire that to be done.

*EARL CADOGAN: The answer, I think, to the noble and learned Lord's question is that the conveyance would not give an indefeasible title, and the vesting order would do so.

A noble LORD: I should like to ask the noble and learned Lord what position the landlord would be in supposing possession were given of a certain farm and yet he is unable to prove his title? It seems to me that he would either have to lose his money or his farm.

THE MARQUESS OF SALISBURY: He ought not to have done it.

*EARL CADOGAN: He would have his rights against the purchaser.

*THE EARL OF SELBORNE: I suppose under the existing Act, which is to be

read with this, there is an established practice about the investigation of title, and if there is I do not understand why at present you should add anything to that.

*THE LORD CHANCELLOR OF IRELAND: The existing system of purchase has been found to work very smoothly and satisfactorily, and those who are most conversant with the Act and its working desire that the machinery should be by vesting order, which has worked well and cheaply hitherto without any hitch or inconvenience. As has been mentioned by the noble Lord, the landlord enters into the agreement with his eyes open; the Land Commission, who have a good staff of capable lawyers to advise them, make the vesting orders, and no hitch has taken place hitherto. Of course, the purchase money is there to take the place of the land, and the landlord is there, too.

THE MARQUESS OF WATERFORD: In answer to the noble and learned Lord (the Earl of Selborne) who asked a question, I may perhaps say that I believe the Land Commission have not made these vesting orders in any number before the investigation of title. I myself have sold perhaps as largely as any landlord in Ireland, and there never was such an idea in my mind as parting with my property before the title had been investigated. I can quite understand the noble and learned Lord asking the question, because I think it would horrify anybody to imagine that a man should be placed in the position of having parted with his property, and yet that it should be absolutely impossible for him to obtain the purchase money.

*THE EARL OF SELBORNE: What I cannot understand is why it should be assumed that the vesting order will be made before there has been such an investigation of title, as there ought to be, or why it should make any difference whether there is a vesting order or a conveyance. In substance, I presume that the course, as to investigation of title, will be the same as under the existing Act.

THE MARQUESS OF WATERFORD: There is a clause in the Act of 1885 allowing vesting orders to be made after investigation of title; but this clause in the Act of 1887 was, I know, purposely put in to enable the vesting order to be made without an investigation of title. I do not think the noble Earl could have been in the House when that clause was passed. I am quite certain I was not, or I should certainly have objected to it. I am afraid I cannot accept the noble Earl's suggestion. Instead of leaving out the words which he suggests should be omitted, I would rather omit the whole section.

*EARL CADOGAN: I cannot accept the latter portion of it.

Amendment, by leave, withdrawn.

Clause 6, as amended, agreed to.

Clause 7.

THE MARQUESS OF WATERFORD: I now move to leave out, in Clause 7, the words "the interest which the tenant agrees to buy in," and I do so for this reason: Those words do not appear in the Act originally; they are not in my noble and learned Friend's Acts—that is the Ashbourne Acts—and they will cause the most terrible mischief in the tenants' minds in Ireland. Your Lordships are aware that a tenant at the present time purchases under the existing Ashbourne Acts. He pays to the landlord so many years' purchase upon the rent, and in the Definition Clause, Section 36, your Lordships will see it is arranged that the annual value is to be assessed upon that rent, with certain provisions; but here there are brought into the Bill words which are absolutely unnecessary, and which will only create the utmost confusion in the minds of the tenants, and will be a fruitful source of trouble. The tenant, no doubt, buys the landlord's interest. It is true that the landlord's interest is not very exorbitant now in any holding; but it is supposed to be rent which the tenant pays, and that rent has generally been carved down to an uncommonly low figure under the Act of 1881. Still, that is what the tenant buys. Now, why bring in his interest? What will be the result of it? I do not think that some of your Lordships know Irish tenants as well as I do, but an Irish tenant is the most litigious man in the world. He will, when purchasing—I will suppose from one of your Lordships—arrange as at a price to be fixed

and ascertained upon his rent. He will find that he gets a large reduction, and he will be perfectly satisfied; but some attorney, who thinks he can make a little money out of the transaction, will point out to him these words, and say, "You have never had your interest ascertained; what have you bought at?" And the tenant will say, "I bought at the landlord's rent." Says the attorney, "Well, your interest ought to have been deducted from the rent before you purchased." Those are the words in Clause 36, which will come hereafter, and, therefore, I will not refer to them now. I do really beseech Her Majesty's Government to accept this Amendment. I have sold thousands upon thousands of acres of property, as I may say, over the table, to these tenants, and I know exactly what they do. They come to me and ask, "What is to be the rent." That is the question. Of course, they mean the instalments to be paid to the Government, and they come with no other idea in the world. But if they have this before them they will say, "Before we fix what I am to pay you must take off something for what my grandfather did; my grandfather made so many drains, my father made so many fences, I have built so many houses, and all these things must be ascertained." At least they will try to ascertain them. But they would not be ascertained in the Court, because that has nothing to do with them, and under Clause 36, with regard to the tenant's interest, when the application goes into the Land Commission, what will happen? The Land Commission is to ascertain and define "the annual value." There the words appear in the clause again. What will the tenants do? They will write up to the Land Commission and press them to death to define the tenant's interest, because they will say, "We have purchased at a certain price, but we have never had our interest ascertained; this Bill points out that our interest is to be defined." I say it is absolutely useless. And let me point out to your Lordships another thing: there are certain clauses which, after a time, will invite repudiation, though those clauses come later. What will happen with regard to this is that the tenant who becomes pressed will say, "I have paid so much for my holding, but have never had my interest ascertained;" and, therefore, he will repudiate his payments, and will give that as a reason. It was pointed out in another place that the tenant ought to have his interest ascertained before he purchased. The tenant does not buy his own interest; he only buys his landlord's interest; and I hope the noble Earl will not lay up such a frightful store of trouble for the Land Commissioners to deal with.

Moved, in page 7, lines 21 and 22, to leave out ("the interest which the tenant agrees to buy in.")—(*The Marquess of Waterford.*)

*EARL CADOGAN: My Lords, if the acceptance of this Amendment would prevent the "laying up a frightful store of trouble," as the noble Marquess has said, I confess I am very much prejudiced in favour of accepting it, and I may at once say that the Government are prepared to accept the Amendment of the noble Marquess. I think I ought to state at once the reason why the words were inserted with regard to the interest which the tenant agrees to buy is that the holding, as bought by the tenant, is a holding, the interest in part of which already belongs to the tenant, and that is the reason why, as a mere matter of drafting, it was necessary to put in "the interest which the tenant agrees to buy," because it was part of that interest which he has agreed to purchase. I do not think the Amendment of so much importance as the noble Marquess appears to think is to be attached to it, but I am prepared to accept it.

LORD HERSCHELL: Would it not need some little alteration? because if these words are left out it will be simply twenty times the annual value "as in this Act defined," and there is no such definition.

*THE LORD CHANCELLOR OF IRELAND: The definition will have to be amended.

LORD HERSCHELL: What I was going to suggest was, would it not be better to put "the annual value of the holding as in this Act defined"?

THE MARQUESS OF WATERFORD: There is a definition in Clause 36.

*EARL CADOGAN: The noble Marquess will find the definition there.

LORD HERSCHELL: But the clause gives a definition which is the thing to be

struck out; that is "the annual interest of the tenant in the holding," which the noble Marquess objects to. That is going to be left out, and of course the definition must be made to agree with the clause. It is only the annual value of the holding. I simply desire to make the two things correspond.

*THE LORD CHANCELLOR OF IRELAND: We can consider that when we come to the Definition Clauses.

*EARL CADOGAN: While we are upon this I should like to have the point which has been raised by the noble and learned Lord (Lord Herschell) cleared up. Surely the words with regard to "twenty times the annual value" apply to the holding "as in this Act defined." There we have the holding mentioned again.

LORD HERSCHELL: But when you have a Definition Clause it is desirable to have the very words in the section itself. If you do not have the words in the section as defined exactly the same there may be a question about it afterwards. However, it can be amended at a later stage.

THE MARQUESS OF WATERFORD: By my Amendment I leave out those words, "the interest which the tenant agrees to pay," but I leave in the word "holding."

*THE EARL OF KIMBERLEY: It will be very easy to make the clause agree with the definition as amended, on Report; therefore, it is not worth while, I think, to discuss it now.

*EARL CADOGAN: There is just one slight amendment which I think ought to be made. It ought to read "the annual value of the holding as in this Act defined." I beg to move that the words "as in this Act defined" stand part of the clause.

THE CHAIRMAN: It is also moved that the words "the interest which the tenant agrees to buy in" should be omitted.

*THE EARL OF SELBORNE: I beg pardon for interrupting, but I understood there was a prior Amendment by the noble Earl in charge of the Bill to put in the word "holding" after "annual value" in line 21.

THE CHAIRMAN: I have already omitted those words. It will, I assure you, come exactly to the same thing. The question is to omit the words "the interest which the tenant agrees to buy in."

*THE EARL OF KIMBERLEY: If I may be excused, it will not read in that form. It will read "the annual value the holding." That will not do. You must put in "of," otherwise it will be perfect nonsense.

THE CHAIRMAN: It will read "the annual value of the holding as in this Act defined."

*EARL CADOGAN: I think the only difference between us now is that the word "of" has not been supplied.

THE CHAIRMAN: The word "of" is already in the clause.

*EARL CADOGAN: Yes, it is in another place.

Amendment, as amended, agreed to.

THE EARL OF CAMPERDOWN: Before the Committee leaves the consideration of this Sub-section 1, I should like to call your Lordships' attention to the principle of annual value which is laid down in the sub-section as the basis upon which all the calculations of the payments to be made by the purchaser are fixed. I think there are objections to this principle of annual value, and I think it would be easy to substitute a more clear and a more definite principle upon which you might base the payments to be made by the tenant. What is the annual value? That is defined, as your Lordships will find, in Clause 36, the Definition Clause. It is as follows:—

"The annual sum which at the date of the application for an advance under the Land Purchase Acts, is the rent of the holding in respect of which the advance is made after deducting therefrom the average amount of abatement allowed by the landlord, the average amount payable by the landlord during the five years next before such date for poor rate and Grand Jury Cess and for Tithe Rentcharge."

Then annual value is a thing which might have to be settled by the Land Commissioners. It will influence those three calculations, and until those calculations are made no intending purchaser or vendor can know what the annual value means. That, then, is the first objection which I think there is to accepting the principle of annual value; the tenant who intends to purchase his holding cannot sit down and say, "Well, I know I have to make a certain payment for so many years; I am told by

the Act that I shall have to make a payment for the first five years of 80 per cent. upon the annual value of the holding; I do not know what that annual value is, and, moreover, I cannot know until the Land Commissioners have had time to make these calculations." But one of the elements is the amount of the abatement which has been made by the landlord during the five years preceding. It is conceivable—I do not say it is probable at all, but it is conceivable—that the landlord and tenant might perfectly well agree between themselves for the purposes connected with the Insurance Fund to represent these abatements as being of considerably larger amount than they really were. In that case the calculation of the annual value would be very considerably affected. The second objection there is to this principle is that it would throw a large amount of work on the Land Commission. The Land Commission would have to determine in every single case of sale these items in order to be able to inform the purchaser what the annual value is. The principle which I would suggest to your Lordships is also to be found in the Bill. It is to substitute for "annual value," "rateable value." If your Lordships will look at the definition of rateable value on the same page, in the paragraph just preceding, it says—

> "The expression 'rateable value' when used in relation to any hereditament or area means the annual rateable value under the Irish Valuation Acts of such hereditament or of the hereditaments comprised in such area."

The Poor Law valuation is a thing which is perfectly well known to everybody in Ireland, and if the intending purchaser wishes to know what he has got to pay, he has merely to look at the Valuation Roll and he will know that he has to make a payment which will not exceed 80 per cent. of that valuation; and therefore he obtains, without the necessity of consulting the Land Commissioners or anybody else, the means of finding out what obligation he would be under if he were to endeavour to complete the purchase. This suggestion does not at all proceed, I may say, from myself, but from persons who have been connected with the working of these Acts, and in their opinion the substitution of the words "rateable value" for "annual value" would be a very great advantage for the reasons which I have given to your Lordships. I have not put it down as an Amendment; but if that opinion should find any favour in the House I shall propose an Amendment when this Bill is reported, and in the meantime I should be very glad to have the general opinion of the Government upon this point as to the necessity of retaining the words "annual value."

*EARL CADOGAN: I do not understand that the noble Lord has any Amendment on the Paper in accordance with the remarks he has just made; and I would suggest to him that it would be generally more advisable that he should defer any further discussion on the point he has raised until he moves the Amendment which I understand he intends to do on Report. More than that, I hope the noble Lord will allow me to say that I think the discussion would come more properly under Clause 36 than under this clause. Under this clause the words occur accidentally, and I think the discussion had better be taken under the later clause.

THE EARL OF CAMPERDOWN: I am perfectly content.

Verbal Amendments agreed to.

THE MARQUESS OF WATERFORD: My Lords, there are two more Amendments here, one of which, of course, I must take first, but they are both on the same lines in Clause 7. I troubled your Lordships the other night with some remarks upon these calamity clauses, which I am afraid will cause terrible confusion, because they invite the Irish tenant to create the calamities. The Irish tenant is never backward in taking hold of such invitation. Under the Ashbourne Acts there was no such clause, and that is the reason why the Ashbourne Acts have worked so marvellously well. Your Lordships have taken credit to yourselves for the way in which the Ashbourne Acts have worked. Her Majesty's Government, both in this House and in another place, have taken credit to themselves for the brilliant way in which those Acts have been carried out; but why have they worked so well? Because the tenant purchasers understood that they were to be paid for the value. They quite understood that there was a very great difference between pay-

ing to the Government and paying to the landlord, because the Government would allow no arrears. It was understood by them and indelibly impressed upon their minds; but once you put in these clauses you practically say to the tenant purchasers "you have only got to show under this clause that you have suffered some loss;" if, for instance, any individual purchaser has lost a cow, or has come under distress, or has had sickness in his family, or anything of the sort, he is not to pay his annuity, but it is to be deducted from his Insurance Fund. I am sorry to say that I am afraid many peasant proprietors who have purchased under the Ashbourne Acts, and paid their instalments regularly, will be induced by these clauses to find out that they have come under some terrible calamity, and not only that—not only will it prevent the working of this Bill when it becomes an Act—but it will have the most disastrous effects in other ways. I shall not detain your Lordships upon this point, because I tried to explain it pretty fully to the House the other night. It is not a very complicated point. Your Lordships know what Irish tenants are. They are the pleasantest people to live with and to deal with in the world as long as you do not ask them to pay you any rent; but when you do that they are not so pleasant. They used to be as pleasant as possible, even when you asked them to pay rent, but I do not think they are quite so pleasant now, though they are getting pleasanter under that operation every day, thanks to the action of the Chief Secretary. I hope Her Majesty's Government will accept this Amendment, for it will save them terrible trouble in the future, and particularly in another place where every Irish Member will be asking questions on the subject. If Pat so-and-so has not been allowed to take certain money out of his Insurance Fund, the amount of correspondence that will go on between the House of Commons and Dublin Castle on such matters will be something terrible to contemplate. I hope, therefore Her Majesty's Government will agree to the omission of this section.

Moved, in page 8, line 27, to leave out Sub-section (6). — (The Lord Tyrone [*Marquess of Waterford*].)

*EARL CADOGAN: I am very sorry the noble Marquess has shown by the proposal contained in this Amendment that he intends to carry into effect the opinions he expressed in the Debate on the Second Reading. Her Majesty's Government, rightly or wrongly, are of opinion that in any legislation of that sort it is of the very highest importance that some provision should be made against cases of exceptional calamity and distress in Ireland. That is a policy which they have laid down, and from which they have no intention of departing; and I am only sorry the noble Marquess does not see the necessity of some such course being adopted. I think it might, perhaps, to some extent soften the asperity with which the noble Marquess looks on legislation of this sort if he would thoroughly realise, as perhaps he does, though I do not gather it from his remarks, that this matter is not at all a question between landlord and tenant. It is a provision as between the State and the tenant. Under the present law, as your Lordships are aware, there is no provision, as I have said before, for temporary calamity or distress, and the Land Commissioners, without some provision of this sort, would have no option but to sell the tenant up; and in that case it is possible to conceive that one year of potato famine might destroy practically the whole object and effect of the Bill. This is a matter which we conceive to be one of policy, and which we also adhere to as of extreme importance. I have little to add to that. It enables the tenant to borrow from his insurance money in case of need; and I am bound to say, inasmuch as it does not interfere in an way with the relations between landlord and tenant, I think the noble Marquess's argument falls to the ground, that is to say, that it will provide the tenant another means of being in arrear with his payments to his landlord. I am afraid it is impossible for me to accept the Amendment proposed.

*VISCOUNT DE VESCI: My Lords, I would venture to appeal to the noble Marquess not to persist in this Amendment, that is to say, not to leave out this sub-section. It is, as the noble Earl has pointed out, purely a matter between the purchaser and the Land Commission. The only thing that is impounded is his

insurance money; and it is only in exceptional cases that the person himself would be affected. He might lose his cattle, and this provision would then become very valuable. I am bound to say I shall support the noble Marquess in regard to the succeeding clause if he divides the House upon it; but that is a different matter.

LORD CASTLETOWN: I would also appeal to the noble Marquess not to press this Amendment.

THE MARQUESS OF WATERFORD: I will not trouble your Lordships with a Division upon this particular clause, but I should like to answer one point which has been raised by the noble Earl. He states that if there were a potato famine it would be very hard to have to sell a man up; but that could be dealt with by another clause. This clause is only to deal with insurance. In answer to the noble Lords who have asked me not to divide on this point, I think they are not quite accurate as to the effect of this clause, because, as my noble Friend the Lord Privy Seal states, it is not only a question between the landlord and tenant, but it goes much deeper. It is a question between the State and the tenants I should say. Still, I think the landlord comes in in this way; he is to provide a guarantee deposit of one-fifth, and if the tenant runs in arrear, as I say this clause will encourage him to do, the result will be that the landlord's security will be lost. I think these calamity clauses are most dangerous with regard to the future security of the landlord's claim, because, as we know what the state of a tenant is who gets into arrear, if he once gets into arrear, if he once gets into debt he gets hopeless and helpless, and gradually goes down an inclined plane, and ends by repudiating his debt altogether. As I stated just now, the Ashbourne Acts have worked splendidly, and if my noble Friend can state at the end of six years that this Bill has worked anything like as well as the Ashbourne Acts, I shall be quite satisfied; but I can tell him that the reason they have worked so well is because they have no such clause in them. I shall not trouble your Lordships to divide on this clause, although I think I shall have to trouble the House to go to a Division on the next one, unless the noble Earl agrees with me that it is, as I consider it to be, an absolutely necessary Amendment.

Amendment, by leave, withdrawn.

Verbal Amendment made.

THE MARQUESS OF WATERFORD: My Lords, I move now to omit Sub-section 7 of Clause 7. I think Her Majesty's Government, although, as my noble Friend opposite said, it was perhaps reasonable for them to refuse my other Amendment for the omission of the other sub-section, will consider that my Amendment with regard to this sub-section is really necessary, because the operation of this sub-section will be far worse. It not only induces individuals but a whole countryside to create calamities. It is a curious provision, and I desire to particularly call your Lordships' attention to it. It is a very peculiar division indeed that is put in here, because it provides—and I think your Lordships will agree it is a most extraordinary provision—that the tenants are to borrow from the Reserve Fund in order to enable them to pay the Government what is due. I have placed my objections before your Lordships as well as I could already as to these calamity clauses, and I can only repeat that I think they will be a terrible bugbear to any Government in the future. I am certain that they will be most injurious; they will invite tenants in large districts to create bogus potato famines, and not only that, as I stated to your Lordships the other night, they will also invite the tenants who are still liable to the landlords to join these purchasers. It will be found that they will not be backward in joining the purchasers for the purpose of creating what may be called a calamity under this clause in the district. I hope Her Majesty's Government will think better of it at the last moment, and agree to amend the clause in this particular, because I am forced to say that if they do not I shall be obliged to divide the House upon it. I hope those Peers who are connected with Ireland will follow me if we are obliged to divide the House, because by doing so they will be able to take credit to themselves in the future for having prevented Ireland having ten times more calamities, and ten times more famines than she has ever had in the past.

I therefore move to reject that sub-section.

Moved, in pages 8 and 9, line 42, to leave out Sub-sections (7.) and (8.)—(The Lord Tyrone [*Marquess of Waterford*].)

*THE EARL OF SELBORNE: My Lords, I have very few words to say in suggesting to the House that the proposal of the noble Marquess shall not be accepted, The clause seems to have all the safeguards which, at all events, such a case will admit of. It does not depend upon the action of individuals, or any number of individuals, but as your Lordships see, it must appear to the Lord Lieutenant and not to him only, but it must be shown by a Report of the Land Commission and of the Local Government Board, that there is exceptional agricultural calamity existing, and then this clause will operate. I will not enter into the question whether there might be arguments urged against putting any provision of this kind into a Bill of this description, rather than leaving such a state of circumstances to be dealt with whenever it may arise. I do not deny that there are reasons of weight against excepting such a state of agricultural distress or calamity as is contemplated here from the general operation of the Bill; but what I want to put to your Lordships is this: the Government upon their own responsibility, and in what they have considered the best interests of this measure, and of the country, have thought it best to provide for such a state of circumstances; and we cannot shut our eyes to the fact that it is not an imaginary state of circumstances or one which could be created in a fictitious way; it is a state of circumstances which, as we all know, has occurred before, and may, unfortunately, occur again: and after the Government have put in a clause providing for that state of circumstances and the House of Commons has passed it, I cannot but think that the evils which would follow from your Lordships rejecting it are much more certain and serious than any which can result from its adoption.

*EARL SPENCER: I should like to say a few words upon this Amendment, as I have considerable sympathy with the noble Marquess in the proposal he has made. Everybody who has has to deal with the Government of Ireland will know perfectly what enormous pressure may be brought to bear upon the Government on particular occasions and I confess I should be glad to see less mention of the Lord Lieutenant and the exercise of his discretion, for I know full well what an enormous amount of pressure can be brought to bear upon him. I remember the case of the seed rate, which was imposed in 1882. There was considerable difficulty in some parts of Ireland in collecting it. I received deputations on the subject, and I had great difficulty in resisting the prayer of those deputations. I therefore have considerable sympathy with the noble Marquess in the proposal he has made. At the same time, I think what fell from the noble and learned Lord (the Earl of Selborne) has great weight. This clause is not an unguarded clause; it is very carefully guarded, and the Lord Lieutenant cannot move without receiving two independent Reports from two Departments of the Government. The Reports are to be laid, before they can be acted upon, for a certain time on the Tables of the Houses of Parliament, and I think great care has been taken to guard against the difficulties to which I have referred. Therefore, though I have great sympathy with the noble Marquess in his endeavour to prevent this pressure being brought upon the Government, and to prevent this temptation to tenants not to pay their instalments, I should not like the responsibility of voting against the proposal which Her Majesty's Government have made.

*THE MARQUESS OF LONDONDERRY: I had not intended to take any part in the discussion on the Amendment moved by the noble Marquess, but as it is the first occasion on which I have had the painful duty to vote against the Party of which I am a Member, I think it is incumbent upon me to say a few words. I endorse what has been said by the noble Lords who have spoken, and I can assure Her Majesty's Government we have no want of confidence as Irish landlords in the action which may be taken by the Lord Lieutenant in dealing with these calamity clauses. However, I think with my noble Friends that advantage would be taken of them by tenants urging bogus calamities, tenants

who are really suffering from no calamity whatever. I am proud to think that I am landlord of a tenantry of whom any landlord might be proud, either in England, Ireland, or Scotland, and I know that no calamity cry will be raised by them; but I think it is in the interest of the Government themselves to enter my most earnest protest against the line of policy they have taken in forcing this clause down our throats. I really, therefore, feel bound to record my protest, so that in years to come, when we find these calamity clauses are taken advantage of by bogus tenants, we shall have at least the poor comfort and satisfaction of turning round on Her Majesty's Government and saying, "We at least told you so."

*EARL FORTESCUE: I, too, earnestly hope your Lordships will not be persuaded into passing these clauses, which I consider as a mere advertisement to tenants to put forward bogus calamities —mendicancy. Applications for relief are catching. If one district gets it, and my noble Friend Earl Spencer has told us what pressure Governments are subject to—and we know what sensational appeals can be got up—other districts will be inventing similar calamities Other districts will follow, and we shall find, from one county to another, especially if any General Election is impending, applications being made for exceptional assistance, and the danger is, in all cases of this kind, that the exception will become the rule. I earnestly hope that Lord Waterford will persevere in his Amendment, and that, notwithstanding the opposition of the Government, he will go to a Division upon it. Let us protest against legislation which is liable, as the recent Lord Lieutenant (Lord Londonderry) has said, to be fraught with disastrous consequences to the country. My fear is that if these clauses are passed, the exceptional applications will be few in the first instance, but that they will go on multiplying and spreading from county to county throughout the country.

LORD CASTLETOWN: My Lords, I desire to say a few words, speaking not from the landlord's point of view, but from the point of view of the British taxpayer. If you keep these clauses in, and you have, as I have no doubt you will have, applications under them to remit the instalments, you will find after a time that if you want to extend the operation of the Act, as you will require to do, the British taxpayer will say, "I am not going to allow that, because these gentlemen in Ireland are continually making up bogus calamities and asking for the remission of their instalments." Why should not the Government have put in the words which exist at present in the Acts of 1885 and 1887 for the Land Commission to give such relief in the event of any individual defaulting on his instalment, or any number of individuals defaulting on their instalments in any particular district? If time is given, it is perfectly easy for the Land Commission to earmark the defaulting instalment as an arrear, and to collect it, say, in the following six months, but by this Bill you altogether fail to guard against the possibility of bogus calamities being put forward.

*LORD ORANMORE AND BROWNE: I merely wish to call the attention of the House and of Her Majesty's Government to a recent case which occurred in the Westport Union. No doubt there was some distress there—I think it was only two or three years ago—and there was an unlimited power of levying rates. I believe money was advanced by the Government, and they sent a Commission to inquire into the way in which this money was grossly misused. I have not the Report of the Commission before me, but I have seen it, and I believe the Commissioners found there were numbers of people receiving relief under the rates who were in possession, not only of considerable portions of land, but of large numbers of stock, and were, in fact, not at all fitting subjects for relief. I think it was under the present Government, and the noble and learned Lord opposite (the Lord Chancellor of Ireland) must remember the case I am referring to. A greater abuse of relief or a falser cry as to the real needs of the people at that time could not be conceived. If your Lordships pass this Act the tenants will seek to take advantage of it when there is the least failure, such as there has been this year—though there is really very little distress in any district from a partial potato failure—I think your Lordships will not only be adopting a

wrong course, but you will be creating difficulties in the other House of Parliament, if not in your Lordships' House, and such demands as have been referred to by noble Lords who have spoken will be forced upon the Government, whoever they may be, who are then the Executive.

THE MARQUESS OF SALISBURY: I wish to remind noble Lords connected with Ireland that by the adoption of the Amendment they would sacrifice £40,000 a year that is to come from the British Treasury. This is the Exchequer contribution that is to be paid every year into the Reserve Fund to be specially applied to this purpose, and if the Reserve Fund is not kept alive, of course the £40,000 will not be paid. I doubt whether they are performing the part of patriots in sacrificing a sum so liberally offered. But I think there is a graver reason again for not adopting this Amendment. None of the noble Lords who have spoken in support of it seem to me to recognise that there have been occasions in the social history of Ireland of great calamity when money could not be paid. I do not suppose that anybody doubts that at these times money cannot be paid, and what is to be done then if there is no Reserve Fund? Throughout you have gone on the hypothesis of the extreme weakness of the House of Commons and the British Government. Let us test that proposition—that whenever distress occurs pressure will be put upon the House of Commons and that the Government will yield. If there were a Reserve Fund the worst cases would be taken off, and the greatest source of pressure would be relieved, and there would be less influence brought to bear upon the feelings and assumed weakness of the House of Commons. If there is really a case for remission, if it is impossible that the instalments due can be paid, do you imagine nothing will be heard of it? Nothing would be easier than to exert pressure upon the Government, through the House of Commons, to remit these instalments, whether there was a Reserve Fund or not. But what would happen if there was not a Reserve Fund? An Act would be passed to suspend the payment of all these instalments. It would operate in Ireland precisely as the Bank Charter Act has operated in the City, only in the City they are a very different set of people to the Irish tenants. The result of breaking through the Bank Charter Act because no loophole was left and no elasticity allowed has been that whenever difficulties arose to a certain point everybody looks for the Bank Charter Act to be suspended by the arbitrary action of the Government; everybody counts upon it, and it is impossible to refuse it. The same thing will happen if in this case you provide no elasticity, no loophole. Calamity will come; Irish tenants will say they cannot pay; their complaints will be echoed with all the Parliamentary pressure at their disposal, and the practice will be established of suspending the payment of instalments whenever there is famine or distress; and you will produce a worse manufacture of calamities and a worse prospect for the ultimate payment of these annuities to the British Exchequer than if you had allowed the elastic resource which at no very great expense this Bill proposes to furnish.

THE MARQUESS OF WATERFORD: I would point out to the noble Marquess the Prime Minister that by this Amendment we should not lose the Reserve Fund if there were no calamities. There is a provision in the Act that if it is not used for this purpose it may be used for labourers' cottages.

THE MARQUESS OF SALISBURY: You will not keep that.

THE MARQUESS OF WATERFORD: Of course, if the noble Marquess states that, I have no more to say; but this clause does not provide with regard to the Reserve Fund. It is another clause which provides with regard to that. As calamities have occurred in the past they may well occur in the future; but in the past Acts of Parliament have been passed to meet them, and if there is a calamity in the future this clause will not provide for all the tenants of Ireland. This clause provides only for the purchasers of holdings. I would ask the noble Marquess whether it is not the fact that the Chief Secretary has this year got up a very large subscription to deal not with the purchasers, but with the tenants. I think that such a thing as a calamity ought to be dealt with by Act of Parliament, because you do not know how it may arise, and you will require distinctly, if there is a calamity or

famine in any district, to pass an Act of Parliament to meet the case. What is the objection, then, to bring in the tenant purchasers as well as the tenants themselves? I cannot see, myself, the distinction. With regard to what fell from the noble and learned Lord opposite, I am not in the least afraid of the Land Commission, or the Lord Lieutenant, or the Local Government Board, doing anything wrong. Noble Lords from Ireland who object to this clause are not afraid of that. What they are afraid of is that calamities will be produced in the various districts in order to play upon the Lord Lieutenant and the Land Commission. We are afraid of the effect upon the people in the districts and of their refusal to pay rent in the districts. We are not afraid that the Lord Lieutenant or either of those two excellent bodies will do what is wrong. We have, in addition, the protection of the other House of Parliament. There are all those protections, and we are quite sure calamities will not be described as calamities by those authorities unless they really exist. But we are holding out this "bribe," I might almost say, to the small tenants in Ireland to establish calamities in order to get out of their liabilities and guarantees; and I was very glad to hear what fell from the noble Earl opposite (Earl Spencer), who has had such enormous experience in Ireland. He knows what would be the Lord Lieutenant's position under these clauses. Why, the Lord Lieutenant's life would be unbearable, and the Land Commissioner's life would be unbearable. There is no doubt that these calamities will crop up every day, and, worse than that, the Chief Secretary's life will be unbearable in the House of Commons, if he is still Chief Secretary of Ireland, as I hope he will be, because there will be questions put to him in Parliament every day with regard to the condition of the farmers in certain districts. I hope sincerely Her Majesty's Government will re-consider their decision with regard to my Amendment.

On Question, That Sub-sections 7 and 8 of Clause 7 stand part of the Clause,

Their Lordships divided:—Contents 114; Not-Contents 68.

The Marquess of Waterford

Clause 7, as amended, agreed to.

Clause 8.

Verbal Amendments made.

LORD CASTLETOWN: My Lords, the Amendment I have to propose on this clause is one which I confess I would rather have had come from some other noble Lord, because I have myself sold under the Act of 1885, and it might appear that I was anxious to continue the sales under that Act. But my object in putting this Amendment down is to sustain agreements which have been partially entered into by tenants and landlords under the provisions of that Act, and so to keep up the sequence, as it were, between that Act and the Bill now before your Lordships' House. It would be a very great advantage if this result could be arrived at, because otherwise it would be quite possible after this Bill has passed into law, which I hope will be the case, that agreements entered into some time ago would have to go back to the tenants and landlords for revision, and possibly there might be delay and friction between the two contracting parties. There is also another point I should like to bring before your Lordships, and it is this: that under the Ashbourne Acts the advances were to be paid in cash, and therefore arrangements might have been entered into by Trustees and others for the receipt of that money so provided in cash. Under the present Bill that would be done by guaranteed Land Stock, and therefore there might be difficulties in that way. I do not press the Amendment very vigorously on Her Majesty's Government, but I trust they will consider it in a friendly spirit.

Amendment moved,

In page 10, after line 30, to add as a new sub-section "In making advances out of the money so available, the Land Commission shall prefer applications for the purchase of holdings upon estates any portions of which have, before the passing of this Act, been sold or agreed to be sold under the said Acts."—(*The Lord Castletown.*)

*THE LORD CHANCELLOR OF IRELAND: I think this Amendment which has been moved by the noble Lord might very seriously hamper the discretion of the Land Commission and interfere with the operation of the Bill. To present it to your Lordships in its own words, I think, would

convey to anyone plainly who listens to them how it might largely interfere with the working of the Bill and with the proceedings of the Land Commission in matters within its fair scope. They are—

"That in making advances out of the money so available, the Land Commission shall prefer applications for the purchase of holdings upon estates any portions of which have, before the passing of this Act been sold or agreed to be sold under the said Acts."

Why should that preference be given? What reason does the noble Lord suggest for its being given? Take it this way: Suppose that some years ago, after the passing of the Act of 1885, one or two holdings on an estate had been bought, and had been left there ever since; or that half of the holdings on an estate had been bought with public money. In either of those cases, which would represent a wide class, why should they have any preference over other properties which for the first time seek the benefit of the Purchase Acts? What legitimate ground of preference can be suggested in either of the two cases I have mentioned? I suppose the noble Lord may have some particular cases in his own mind which have induced him to put down this Amendment; but I do not think it is right to interfere with the legitimate discretion to be exercised by the bodies mentioned in the Bill.

LORD CASTLETOWN: I do not admit what has been said by the noble and learned Lord. I have explained already to the House that it is in the interest of those who have entered into agreements that this Amendment is proposed. The object is that those agreements which would not have to go back to the tenants and landlords, or vendors, as they are called in the Bill; but that there should be a sequence in the passing of property under the Acts of 1885 and 1887. My arguments are, I am sure, perfectly logical and perfectly sound; but, of course, if the noble and learned Lord thinks I should interfere, if the Amendment is passed, with the working of the present Bill in any way, I should be very glad to withdraw it.

Amendment, by leave, withdrawn.

Clause 8, as amended, agreed to.

Clause 9 verbally amended, and agreed to.

Clause 10.

THE MARQUESS OF WATERFORD: My Lords, I stated the other night that, in my opinion, this clause would destroy the effect of the Bill, and I then stated to your Lordships that the aggregate valuations should be placed in the Bill instead of the numbers. As the Bill now stands it is only the number of the holdings that are to be ascertained. I put it before your Lordships, then, that that is an inaccurate return to the Government, because the same man is very often returned five or six times on the books as being in possession of different holdings, although really they are the same holdings. All those separate holdings are to be counted as against the occupiers above £50. Now, that is certainly very unfair, and it ought to be put right. By this Amendment it is put right. You would take the aggregate valuations instead of the numbers, and divide the money between them according to what the county can supply as a security. I put it before your Lordships that it would be £16,000,000 against £13,000,000, and £16,000,000 is more than I believe the small tenants will ever take up. I see on the Paper two other Amendments down for this clause. I cannot say I like either of them as well as my own; but, at the same time, if the noble Marquess beside me (the Marquess of Londonderry) is very keen about bringing his Amendment forward, I will not stand in his way. I do not know whether it will commend itself to the Government more than my proposal. In fact, I think my own proposal is the simpler; but if the noble Marquess prefers to press his clause I will not put the Amendment that stands in my name, hoping that your Lordships will agree to accept the Amendment that stands in the name of my noble Friend, although, as I say, I do not think it is at all as good as mine.

Amendments moved, in page 10, line 39, before ("total") to insert ("aggregate valuation of the"); and, in line 14, to leave out ("number") and insert ("aggregate valuation.") — (The Lord Tyrone [*Marquess of Waterford*].)

*THE EARL OF ERNE: My Lords, I entertain a very strong objection to this clause as a whole, and I am sorry

the Government did not abide by the Bill as introduced last year. By a sort of afterthought they imposed restrictions which I think will have a bad effect upon the working of this Bill. Whatever the effect of this Bill may be, I entirely coincide with what the noble Lord opposite (the Earl of Kimberley) said the other day, that this Bill means the extinction of landlordism. I go further. I think it means the extinction of small landlords whose present slender margin, the difference between the charges they are obliged to pay and the rents they receive, will be swept away. If this is the sacrifice you are called upon to make for a Bill of this kind, which you think is going to restore peace and prosperity to Ireland, it is incumbent on you to see that it is not rendered nugatory by the insertion of provisions which are calculated to destroy your object. Nobody who knows anything about Ireland can have any doubt that large farmers of over £50 valuation, whether they live in Ulster or Munster, whatever their politics or their creed may be, are the only men who by any possibility can make satisfactory peasant proprietors under this measure. It is quite absurd to say that small peasants living in mud hovels in the mountains of Connemara or Kerry can be so. They will inevitably fall into debt, and will become the prey of the gombeen men or usurers. It will be merely knocking down one set of landlords in Ireland to set up another, who will be far worse than any of the present class of landlords have been. I can conceive no more thoroughly Irish proposal than to pass a Bill professedly to benefit a country, and then to proceed deliberately to throw hindrances and impediments in the way of those men coming under the provisions and taking the benefit of the Bill who are best calculated to make it a success. I can only account for this action on the part of Her Majesty's Government, or rather on the part of those of them who are connected with the Government of Ireland, by supposing that they have imbibed those influences which are supposed to permeate the atmosphere of the country, and have been led into the perpetration of an Irish bull on the largest scale. As I said before, I should like to see this clause knocked altogether out of the Bill, and that the Bill should be restored to its original shape; but if that cannot be, either by the acceptance of the Amendment which has just been moved by the noble Marquess, or by that which stands in the name of the noble Lord the Marquess of Londonderry, some modification at all events of what I consider to be a great evil and blot in the Bill should be made.

*Lord MORRIS: My Lords, I regret on this occasion that I am obliged to differ very much from the views which have been expressed by the noble Lord who sits below me, and by the noble Lord who has just spoken. I give the Government the greatest credit for the tenacity with which they have stood by these clauses against so strong an opposition. My noble Friend is opposed to the small landlords. Well, the class of small landlords are not represented in your Lordships' House; the great noblemen, the men of great territorial possessions, are. I represent at all events, as an individual, the small landlords, and by an accident I am a Member of your Lordships' House. Therefore, to some extent, I may speak for the class to which I belong, a class of men who are entirely and wholly unrepresented in this House, and also in the other House. In speaking for them I do not speak merely of my own individual opinion, although I do not think I am very egotistical in saying that no man alive ought to know public opinion in Ireland better than I do, if mixing in various classes of society, living there all my life, going through the country following my profession, and sitting for 23 years as a Judge, can enable any man to know it. I would ask any of the noble Lords present whether they have been in every one of the 32 counties of Ireland, and whether they have stood on every five square miles of Irish soil. Therefore, in some respects, I feel in an especially qualified position to speak, both as a Member of your Lordships' House and in another capacity. As I understand the purpose of this Bill, and what gives the Government its justification in calling upon us to give this State assistance, is the disorder that has arisen in Ireland. That disorder has arisen from causes which it

is unnecessary for me to inquire into particularly, or to delay your Lordships by entering into at this late period of the evening; but it is now suggested that that disorder will be lessened by allowing this £30,000,000 to follow in the same route that the great bulk of the £10,000,000 did under the Ashbourne Acts, that is to say, by assisting purchases by tenants over £50, men who are as well able to purchase without the assistance of the State at all, as any other portion in the community. Should it not be the great object of the State to assist the smaller tenants, who are the great cause of the disorder? The impossibility of a landlord recovering his rents from small tenants, because the expense would have been so overwhelming that he would not undertake it, is admitted; but, supposing he was fool enough to embark on such a crusade, he would find his estate boycotted, and the State put to the enormous expense of bringing police and troops to carry out the decrees of Her Majesty's Courts of Justice, and to protect life and property on the spot. If that state of things is to be put an end to, will it be put an end to more effectually by allowing these comparatively wealthy tenants to carry off the great bulk of this £30,000,000? The matter has been spoken of as if the £30,000,000 was like an inexhaustible bottle that could be continually drawn upon. It has also been suggested that the tenants over £50 are excluded from the operation of the Bill. I find no expression of it in the Bill. I only find this: that wanting everything for themselves they are obliged to divide with poorer men, and the smaller tenants, who have got nothing, comparatively speaking, under the Ashbourne Acts, I submit should not now be left to the discretion of the Commissioners, who will be placed in a difficult position. If I were one of them myself I should be obliged to say we must lend this money on the best security. They will naturally lend the money again, as they did before, under the Ashbourne Acts, or the bulk of it, to the wealthy tenants, who cause no difficulty in the repayment of it. If the manager of a bank had only a certain amount of money in which to cash bills, of course he would give all the money to the excellent good securities, and he would be quite right from a financial point of view; but, as I understand, this money was not to be lent from a financial point of view, because if that had been the case the money ought not to be lent at all. It is lent in order to assist the poorer class of peasant proprietors, not the men of from £100 to £300 a year. It is very hard to define what is a peasant proprietor, but he is, I suppose, a man who is working his farm himself. The question is, whether these people should not get some of this money? I have made a calculation which shows that if the £30,000,000 travels in the same direction as the £10,000,000 did, that one-half of the larger tenants over £50 would be bought out, while only one-eighth under £50 would be bought out. So that your Lordships are asked to buy peace in Ireland by leaving seven-eighths of the smaller Irish tenants without any power of purchasing their holdings. There would be a feeling of injustice, a sense of wrong, which ought not to be induced in the smaller tenants at seeing their larger neighbours walking off with the substantial part of the fund, and seven-eighths of them necessarily left behind. This is the last of a series of Acts of Parliament which have been brought in, prophecies were always made on the passage of each of them that that was to be the last Bill on the subject, and that we were to have a millenium immediately afterwards. We were told that the landlords security was now impregnable. That if the rent was reduced so much the rest of it would be made so secure that it almost amounted to Consols, and that it would bring 33 years' purchase. Well, now we are called upon to sell it with something like 13 or 14, notwithstanding all the prophecies. I like politicians, but I dislike their prophetic utterances. My noble and learned Friend the other day stated that he did not think the landlords were going to live out of the country, but that they would live among their quondam tenants, who had become so fond of them that they were obliged to get rid of them; in fact, they would become villa proprietors. Noble Lords have given their opinion, and they are, of course, as much entitled to give their opinions as I have to give mine upon this matter, but I have not been satisfied with my own opinion alone, I have gone for information to my own County Galway. A meeting of the Landlords' Con-

vention of that county was called a short time ago. At a meeting of the Landlords' Association held in Galway on the 30th of May last, it was unanimously resolved that the power of purchasing the holdings under the Land Purchase Act as proposed should be adhered to. The Secretary was desired to forward copies of that resolution to the General Landowners' Convention in Dublin, and to the right hon. A. J. Balfour. Therefore, my Lords, I can speak having the opinions in my hand of the landlords in the second greatest county of Ireland, and I do not know that any noble Lord has given much more than the expression of his own individual opinion, no doubt honestly entertained and strongly expressed. This is the last of these Acts, it is an Act of a description which we are not likely to see again soon. We are not likely to get £30,000,000 readily again. This Bill is nominally permissive; it is really compulsory. When a landlord has property in one particular portion of the country, and has sold, and annuities are payable in respect of purchases, the tenants of a neighbouring proprietor will ask what his brothers or cousins or friends are paying, and he will naturally say he will not pay any more rent than they are paying, as annuity—that is not a theory of mine, but it has happened in a most remarkable way in Ireland. One owner in a Barony sold; the other owner did not; and the tenants insisted that the rent should come down to the level of the annuity which was payable to the Government. During the last 25 years since I was a Member of the other House prophecies have always been made, and have always, without exception, turned out to be delusive and false, and to recall them strongly reminds me of a farrier's bill which I once saw in my younger days, for "Curing your Honour's horse till he died."

*Viscount De VESCI: My Lords, I should like to say a few words upon the discussion which has been raised in answer to the noble and learned Lord opposite; before I do so I may be allowed to say that I understand the noble Marquess will withdraw his Amendment in favour of that proposed by the noble Lord the Marquess of Londonderry.

Lord Morris

The Marquess of WATERFORD: I will withdraw it.

*Viscount De VESCI: What I desire to point out is, that this Act is retrograde. One of the principal objects of the Act of 1887 was the admission of leaseholders to the benefits of the Act of 1881; and I say, with great confidence, that I believe the majority of those leaseholders who were admitted to the benefits of that Act will be excluded if this clause is left as it is now. There is one point which I think is a mistake. It is the practice of noble Lords inside, and of people outside, this House to speak of this Act as an Act for the creation of a peasant proprietory. I look upon it equally as an Act to form a strong yeoman class. It is from this class of occupiers in Ireland of over £50 valuation that will come the elected representatives on the County Councils if this Bill is brought into operation, for that is the only really educated middle class outside the towns in Ireland. It is from this class that a great number in the ranks and professions are drawn; and certainly the great majority of the Roman Catholic clergy come from it. I would press upon your Lordships whether it is really worth while to create a strong adverse feeling among that class, which, I am sure, will be the case if this clause is not amended in the way suggested.

The Marquess of WATERFORD: I have only to say one word in answer to what has been said by the noble Marquess behind me. I think my noble Friend stated to your Lordships that the purchasers under £50 do not get nearly as much money as the purchasers over £50 valuation under the Purchase Act. My noble Friend has evidently not referred to the return I moved for a short time ago, and which lies on your Lordships' Table. If he had done so he would have seen that the purchasers over £50 had got £2,716,000, while the purchasers under £50 got £3,528,000 odd. Therefore, your Lordships will see that there is a great deal more given to the purchasers under £50. Then, again, my noble Friend seemed to think that the purchasers under £50 would be excluded unless this clause as it is at present were retained. But there is nothing to prevent the purchasers under £50 coming in and buying under the

Ashbourne Act. Of those below £50, about 13,700 bought under the Ashbourne Act, and about 1,500 over £50. I think, therefore, my noble Friend cannot have studied that return, for he could not have made the statement he did to your Lordships if he had done so. There is nothing to prevent tenants under £50 buying under this clause. They can still buy—but I will not detain your Lordships longer. I beg, as my noble Friend is anxious to move his Amendment in substitution of mine, to withdraw the Amendment which stands in my name.

Amendment, by leave, withdrawn.

*THE MARQUESS OF LONDONDERRY: My Lords, in the observations which I addressed to your Lordships on the Second Reading of the measure before you, I threw out a suggestion that if the money allocated to the occupiers of holdings under £50 were not taken up within a certain period, that sum of money should be available to occupiers of over £50 valuation. The noble Lord below me, in the course of his most able speech, assured me that if I would bring the matter forward in Committee it should receive the consideration of Her Majesty's Government. On this ground, I have placed on the paper the Amendment which I now propose to submit to the House. I have been told by numerous friends that my Amendment is of a somewhat complicated character, and, therefore, I shall ask your Lordships' permission to make a few remarks in submitting this Amendment, which will go to the foundation of the measure, and to put as simply and briefly before you as I can what I mean by my Amendment, and what I ask Her Majesty's Government to accede to. Your Lordships are well aware that the guarantee fund in each county represents one-twenty-fifth part of the capitalised sum granted by the Government for the purpose of enabling occupiers of holdings to become owners of those holdings. You also know that this capitalised sum is divided in two parts, to be distributed in various proportions to occupiers of holdings over £50 and under £50. I knew before the noble and learned Lord (Lord Morris) made his most excellent speech that a certain number of Irish landlords agreed entirely with the clause as it stood, while my noble Friend on my left (Lord Waterford), and I think an overwhelming majority of the Irish Members of your Lordships' House, disliked that clause, and, indeed, had a great idea at one time of throwing it out. I trust that the Amendment that I am going to submit will receive the consideration of Her Majesty's Government, and that it will also receive the assent of noble Lords on behalf of the small landowners in Ireland, whom the noble and learned Lord (Lord Morris) so ably represents. I think he informed your Lordships that he was the representative of the small class of owners in your Lordships' House, and that you will agree with me in saying that I doubt whether any class is more ably represented. The object of my Amendment, which I wish to convey to your Lordships, is this. I wish at the end of each year that a calculation should be made in each county of the sum of money which has been allocated in that county, and which has been taken up by the occupiers of land both over and under £50, and I should then desire that the balance that accrued each year—mark you, each year—should be converted into a common fund available to both classes of tenants, those over £50, and those under £50, to be administered on the same provisions as the Ashbourne Acts have at present. Of course, I need not remind your Lordships that this Act is entirely different to the Ashbourne Acts, inasmuch as stock, and not cash, will be the payment. I noticed that my noble Friend (Lord Morris) remarked upon the manner in which the noble Lords on the two opposite Front Benches emulated each other on Monday last in attempting to exercise the gift of prophesy. I will not attempt to emulate them in prophesy, for I take it it is impossible for any one to attempt to prognosticate as to the amounts in which this sum will be taken up. I have heard from some friends in Ireland the opinion that the money will be speedily taken up, and from others that they think not; but time will prove. I think we can form a very safe idea as to the manner in which the money will be taken up by taking the annual average of the advances under the Ashbourne

Acts as taken up by the tenants both under £50 and over £50, and comparing those returns with the money allocated to the different districts in Ireland, as proposed to be distributed to tenants at valuations both over and under £50. It would be perfectly possible for me to deal with those figures, either by dealing with the capitalised sum, or by taking the annual guarantee fund in each county; but as the figures in the annual guarantee fund are smaller—and I wish particularly to impress upon your Lordships that it is only fair that this surplus should be at the disposal of the larger tenants—I propose to deal with the smaller figures. I propose to bring under your Lordships' notice two representative counties, in each of the four provinces, in order to show you how, under the present Bill, the money has been applied to the two classes of tenants; and I wish also to show you the manner in which advances under the Ashbourne Acts have been applied for, and the amounts of money advanced to both classes of tenants, under and over £50, in those counties. I shall ask your Lordships to allow me to submit to you, at the end of the statement, the surplus sum which would be available, if the same line is pursued in the future as in the past, and which will be at the disposal of both classes of tenants at the end of each year. The statistics are as follows:—In the province of Ulster I take the two counties of Donegal and Down, and I find that the estimate of the annual share in the guarantee fund for the county of Donegal is £39,823; the estimated proportion of share in the county guarantee fund, according to the Bill in its present form, to holdings of over £50 is only £846. I do not think my noble Friend can say that the substantial tenants have been over well treated in that county. Now, the occupiers of holdings valued at under £50 would receive no less than £38,977. Now I come to the annual advances which have been made under the Ashbourne Acts in respect of these holdings. In the county of Donegal to holdings of over £50 the amount is no less than £13,370 as against the £846 which I quoted a moment ago. Now for holdings under £50 the amount is £27,598, which has been taken up. Consequently, in the county of Donegal, according to my Amendment, they would take from the general fund £11,379. Assuming that tenants under £50 did not purchase at a faster rate under this Bill than under the Ashbourne Acts, there would each year be available for the purchase of holdings of over £50 valuation that additional sum of £11,379. I now go on to the County Down, and I find there, again, that the annual share of the guarantee fund is £59,814, of which, to the owners of holdings over £50, £5,339 would go, and £54,447 to holdings under £50; whereas, under the Ashbourne Acts, £6,840 went annually to tenants over £50, and £6,687 to tenants under £50. Therefore, in the County of Down, there will be left for the general fund at the end of each year no less a sum than £47,788. I will not trouble your Lordships at length with the figures for the Province of Leinster, where the numbers work out in much the same way, though not to the same large extent, but I will turn now to the County of Galway, where my noble Friend says the small tenants have been badly treated, and the large tenants favoured. I find there that the additional sum would be £49,959. There the amount is £61,252 to tenants over £50, and £2,763 to those under £50, which would leave no less than £58,459; while under the Ashbourne Act has been taken up for holdings over £50, £11,868, and by tenants under £50, £8,480. Therefore, according to my computation, at the end of the first year there would be a surplus from the amount of money due from the tenants under £50 of no less than £49,959. In Leitrim, again, we find the same thing. I know my noble Friend (Lord Harlech) takes great interest in that county, and he thinks the small tenants have not received their fair share. There the sum is £19,916 for holdings over £50, and only £246 under. That would be £19,715. In Leitrim the surplus after the first year would be £9,820. I do not think I need trouble your Lordships at this late hour of the evening, when there are so many more amendments for your Lordships' consideration, by going through more statistics upon this point. I think I have shown sufficienty that the Amendment I have advocated, while it will benefit—for no doubt it will benefit—

this class of tenants to whom, I maintain, the Government ought to give every advantage, that is, the tenants over £50, it will in no way militate against the tenants under £50, whom my noble Friend supports. Your Lordships will see that not one shilling is taken away from them, because the very amount which is taken away is at their disposal also. Then I cannot see why it should not be at the disposal of the larger tenants if the smaller men did not use it themselves. I cannot believe that the smaller tenants will be such dogs in the manger as to say that because they do not want this money, the bigger men shall not have it. It might be possible, it has been pointed out to me, for the large tenants to combine to persuade the smaller ones to take a particular course. I cannot believe in that theory, but, supposing that is so, the smaller tenant is only to be duped for one year, and even if he is duped for one year, he is on perfectly fair and equal terms with the larger tenants at the end of it; and therefore I do not think it is possible that there could be a combination to prevent the smaller tenants applying, or any combination to prevent their obtaining their just rights. Before I resume my seat, I would ask the noble Lord, the Lord Privy Seal, to give this Amendment his careful consideration. I have tried to prove that there will be no hardship upon any class of tenants, and we think, as the clause exists, there is great hardship on the very class of tenants whom the Bill is intended to encourage. In general, with few exceptions, Irish Members of this House are unanimous in repudiating and denouncing the clause as it stands, and in supporting the Amendment which I now put before you. I should like to hear what my noble Friends behind me have to say, and I shall be glad if I can to answer any objections they may make, but I would ask your Lordships to consider another place, the House of Commons, in regard to this matter. I think I am correct in saying that this clause has been denounced in public and in private on every occasion by every single Irish supporter of Her Majesty's Government. Under these circumstances I do trust your lordships will consent to passing this Amendment. I have already explained with what pain I move it against Her Majesty's Government. It would be at any time very great pain to me to lead a revolt against Her Majesty's Government, but feeling that Irish opinion should carry some weight in this House, I do ask, if necessary, my noble Friends which come from Ireland to support me in doing so.

Amendment moved, in page 11, line 11, to leave out Sub-section 3, and insert the following:—

"The share of each county in the guarantee fund shall be determined for each financial year by the Lord Lieutenant, and apportioned in the proportion above mentioned, between the class of holdings above and the class of holdings below £50, and if the amount of advances applied for in that year for the purchase of either class of holdings is less than the proportion of the guarantee fund so apportioned to that class, a sum equal to the balance shall be deducted from the proportion available for such class of the total amount to which advances can be made in the county, and carried to a common fund to be available for advances for both the above-mentioned classes of holdings in that county."—(The Earl Vane [*Marquess of Londonderry*].)

THE DUKE OF ABERCORN: My Lords, I hope there may be no revolt, but that there may be a unanimous feeling in support of the clause proposed by the noble Marquess below me. I am one of those who sympathise with the smaller class of tenants in Ireland, and also with those proprietors on whose property these small tenants live; but, at the same time, I have strong sympathies with those tenants in the North of Ireland who are comparatively excluded from the provisions of this clause. I regret sincerely that the clause was ever introduced, though, at the same time, I can fully appreciate the reasons which induced the Chief Secretary to introduce it. I imagine he was anxious that every possible facility should be given to the poorer class of tenants to take advantage of this Bill; but at the same time, in doing so, I think he possibly overlooked the serious damage which might accrue to this class of tenants in holdings above £50. Those tenants are highly respectable and loyal men; still, they have but human nature, and it might possibly occur to them to ask—"Why are we excluded from the provisions of this Bill? Is it because we are so respectable and so loyal that the Government are seeking to bestow further advances upon

the smaller tenants in the South and West of Ireland?" I do not say that such threats, as they might almost be called, would suggest themselves to these men, but it is possible; and in passing such a Bill as this, which everybody praises, and which even in this House has met with comparatively so little condemnation, it is only necessary and desirable that every tenant in Ireland should greet it with approbation and hope. With regard to the Amendment of the noble Marquess below me, it appears to me to be a very sensible one, and to touch upon a very important point. If we are not able to get the clause entirely excluded from the provisions of the Bill, we should endeavour to obtain as great advantages as possible for tenants above £50. The noble Marquess has stated that it is an intricate clause, but I think if noble Lords study it they will find that is not the case. A certain sum, as your Lordships are aware, is allocated to each county each year, and of that sum the tenants below £50 receive a certain share, and the tenants above £50 receive another proportional share. According to the provisions of the Amendment of the noble Lord, if the tenants below £50 do not take advantage of all the amounts allocated to them in one year, that amount, together with the amount which may accrue from the share of the £50 holdings, will become a lump sum from which either class of tenants can draw in a future year at their own will. Therefore, if the tenants below £50, the smaller tenants as they are called, who according to these clauses will have every opportunity of getting advances, should take up all that is allocated to them, the holdings over £50 will suffer; but supposing they do not, the remaining amount will be left unused, and will in future years be at the disposal equally of themselves and of the holders above £50. It appears to me this Amendment is the most feasible one that could be adopted. I sincerely hope Her Majesty's Government will give their sanction to it, for if they do I hope and believe that the sore feeling which might be caused by this part of the Bill will be removed.

THE EARL OF ABERDEEN: I quite agree with one of the remarks which have fallen from the noble Lord, the late Lord Lieutenant. He said that the opinions of Irish Peers would have weight, but it is sufficiently evident that their opinion is not unanimous, because we had a very eloquent counter statement of opinion from the noble and learned Lord (Lord Morris) on the other side of the House, and I suppose very few of us could boast, as the noble and learned Lord was able to do, of having been in every country and district in Ireland. To estimate this matter accurately, we surely must look at the proportion between the two classes of tenants. I think it was stated in the other House of Parliament that the proportion of tenants over £50 purchasing is 92 per cent. Now that figure, I think, itself gives a notion of the comparatively small number who are excluded by the operation of the Bill as it stands. I am afraid that the logical sequence of the passing of this Amendment would be to provide more money for them. Personally, as a strong believer in the principle of land purchase, I, for one, should not object to such a provision, but it is obvious in the present state of public opinion that an addition of, say, £30,000,000 to the present provision would be impracticable. I have no doubt that every Member of this House wishes to see this Bill passed into law without any undue limitation or restriction; but still the main object of the Bill is, as was stated by the Prime Minister the other night, to facilitate the creation of a peasant proprietary. It can hardly be said that the provisions in this part of the Bill are inconsistent with that purpose. I quite agree with what was said by the noble Marquess opposite on Second Reading, that in Ireland a great many of the smaller tenants would be influenced by the action of the larger tenants. I have noticed the same thing in Scotland, where we have often a number of smaller tenants holding round the larger farmers. But there is one point on which they will not, I think, be influenced, and that is upon any question affecting their pockets, and if the smaller men see that it is to their advantage—and they will no doubt do so—to purchase under this Act, I do not think the action of the larger men will seriously influence their operations. Therefore I cannot but think that the opinion given by the noble Lord

opposite as regards this Amendment is one which will have great weight, and therefore I am prepared to support the Government.

*LORD MORRIS: Having spoken very strongly in favour of tenants of the smaller class, I may say that I have no objection to the Amendment proposed. I do not think that either class of tenants will act quite as a dog in the manger. As I understand, there is a certain allocation for the tenant under and over £50. If the tenants under £50 do not come in, why should not the tenants over that valuation come in and get it? And *e contrà*, if the tenants over £50 do not come in, which possibly they may not in certain places, then their share should go to the tenants under £50. As far as I have any voice in the matter I shall join in the application of the noble Marquess who sits below me to Her Majesty's Government to accept the Amendment. My noble Friend the Marquess of Waterford said I made some confusion of figures, or rather a misstatement of them; but I am sure I made none, and that none of the figures to which the noble Marquess referred touch mine. I said that if the £30,000,000 travelled in the same route that the £10,000,000 did under the Ashbourne Acts, it would buy out one-half of the larger tenants in Ireland over £50; but that it would only buy out one-eighth of the tenants under that valuation. I therefore suggested that it would leave seven-eighths of the smaller tenants in Ireland discontented, whereas you would only leave half the tenants over £50 discontented. The noble Marquess asked: "Are the loyal men over £50 to be excluded?" My answer is that they are not excluded: but those under £50 want to be included, because hitherto they have been excluded, and if I know anything of them—and having gone Northern Circuits for years, I think I ought to know something about the loyalty of the population of Ulster—I can say that their loyalty is not connected with the land. The most loyal portion of the people in Ulster hold no land at all. Loyalty in Ulster, as far as my experience goes, is not connected with land. They are a loyal and contented population, and as this Amendment is intended to assimilate the rest of the people of Ireland to them I have no objection to it.

*THE MARQUESS OF LONDONDERRY: I should like to ask the noble Earl one question. I thought he rather inferred that if my Amendment were carried it meant more money for these purchases, but I am prepared to prove that, so far from any more money being required, this money, if not taken up, will be sufficient.

THE EARL OF ABERDEEN: It is rather to the principle of the clause that I was referring. I quite see the point which the noble Marquess puts, and if it is taken according to the limit of time that would be so in effect. I was rather speaking upon the principle of admitting these tenants. I presume the noble Marquess means that it should be made a practice in perpetuity that the money would be required for the larger tenants.

*THE MARQUESS OF LONDONDERRY: No; I am afraid I have not explained my proposal very clearly. It is only with regard to the surplus money; if it is not taken up, allocated to the guarantee fund—not that it should be fresh money supplied—that the fund should be available to both classes of tenants, that is to say, only whatever money remains annually—the surplus each year. If the money were not taken up in one year it would not go on to the surplus in the next.

*LORD HARLECH: The noble and learned Lord, having alluded to me in regard to this clause, I cannot but remark that I certainly was very much in favour of the Government clause. I thought it was very desirable that as many small tenants should be induced to purchase their holdings as could possibly be found. It appears, however, from the statistics which the noble Marquess has read to the House, that already the small tenants had had a great deal more allotted to them than they were willing to take up, and that the surplus money beyond what they were willing to take up is of no practical use whatever. Now I desire that the fund should be made use of as far as possible. It has gone as far as the smaller tenants have been disposed to take it, and if they will not take it, I think it is only right the tenants above £50 should, if they please, have the opportunity of making

use of it. It is no use leaving it idle and lying where it will be of no use to mortal man. Therefore, after giving the smaller tenants every chance of making use of it, I would devote the surplus to the use of tenants over £50 if they are willing to take it.

*The Earl of BELMORE: I only wish to say one word in support of the clause which the noble Marquess has moved. I was not so strongly opposed as was the Marquess of Waterford to the £50 Clause, and although I should probably have supported him had he gone to a Division, I confess I would very much rather not have voted against the clause in the Bill; but I think the Government will do well if they accept this proposal of the Marquess of Londonderry, because, on the figures he has given, it is evident that, in the County of Donegal, the proportion for the £50 men, as the matter now stands, would not enable one single man above £50 to buy unless he gave not more than about 17 years' purchase — I think the figures were £841 against a good many thousands. I do not think that can be the intention of the Government; but if this clause which has been suggested by the Marquess of Londonderry comes into operation after the first year, there will be, probably, enough money to enable as many £50 holders to buy as wish to do so. From the Returns which are already before the House it is evident that a great number of the £50 holders have bought out their farms, and I cannot help thinking that in a few years the matter will work itself out, and that there will be no friction whatever.

Earl SPENCER: Before the noble Earl who has charge of the Bill rises to reply to the remarks which have been made, I should like to say two or three words. I entirely agree with the statement made by the noble Lord (Lord Morris) as to the great importance of encouraging the smaller tenants to become proprietors. I myself think it is very important that those under £30 should become proprietors; and, certainly, if we look to the returns which have been given, there are very few under £30 in comparison with those which have bought under the Ashbourne Act above £30. As far as I can understand the Amendment of the noble Marquess, who was formerly Viceroy of Ireland, if is carried, the operation of the Act, as intended by the Government, and the advances made between the £50 occupiers and those above will be really very limited for the first year. After the first year the surplus which remains will be paid into a common fund, and then the small tenants and the large tenants will be benefited alike. That is how I understand the matter. Therefore, I believe if the noble Marquess's Amendment is carried, it will practically limit the operation of the clause as at present drawn, giving a larger sum to the smaller tenants the first year. As I was strongly in favour of creating as many small owners as possible, and as I believe that the arrangements in the clause will prevent any hardship to landlords on account of the discretion given to the Land Commissioners to sell estates, notwithstanding this clause, if it is found necessary to increase the number of large tenants, I should be sorry if the Amendment were accepted. There might be cases where the proportion would be so large of the small tenants that the landlord would be unable to sell his estate. That is met by the Government clause. Therefore, I should be extremely sorry, as this possible hardship has been stated, to hear that Her Majesty's Government are going to alter the clause, for I believe it would only limit the operation of it to one year instead of extending it over a longer term, which I should like to see.

*Earl CADOGAN: Without entirely agreeing with all the remarks which have fallen from the noble Earl who has just sat down, while adhering to the principle of proportion, I feel, on behalf of the Government, that we cannot, in face of the unanimous opinion which has been expressed, resist the Amendment. Undoubtedly our chief reason for coming to the conclusion that some such provision for the proportionate distribution of this money was necessary was that the statistics of purchase under the Ashbourne Acts, to which allusion has been made by noble Lords in the course of this discussion, did undoubtedly show that the proportion of money allotted to tenants above and tenants below the value of £50 was entirely incorrect and inadequate. Therefore, although we still

adhere to the principle of proportion as found in the clause in the Bill, yet at the same time I am bound to admit that in face of the almost unanimous opinion expressed by noble Lords on both sides of the House we feel that we cannot resist the Amendment which has been moved by my noble Friend (Lord Londonderry). My noble Friend explained the meaning and intention of his Amendment, which perhaps at first sight cannot be very clearly understood; but he expressed it with so much force and so much ability that I do not think there is much more for me to say. It appears to me that it does provide a compromise between the wishes of noble Lords behind me and our own policy, and that it involves no loss of principle whatever. And I may here remark that although during the debate upon the Second Reading the speeches of noble Lords behind me pointed to a strong difference between us as to the question of proportion, yet this Amendment itself does admit of a distribution of the money in the same proportion as that which we indicated in our own clause. All it does is this: it adopts the principle in our clause, and it provides, in addition, for the case of any sum of money being left unapplied for by any other class, and for the creation of a fund to which such unapplied-for money should go, to be divided in equal proportions or to be divided as may be directed, but not in the proportion originally provided for by the clause. Therefore, taking all the circumstances into consideration, and observing as I do with considerable pleasure that the tone of noble Lords on both sides with reference to the general principle of this clause has been very favourably modified on this occasion, and also taking into consideration the reasons which have been so ably put forward by the noble and learned Lord (Lord Morris) I am enabled to inform the House that the Government will assent to the Amendment of my noble Friend.

*THE EARL OF KIMBERLEY: My Lords, I am sorry I was not here whilst the noble Earl was speaking, but I regret to hear from his last words that the Government are about to agree to his Amendment. It seems to me that the result will be to neutralise altogether, or to a very great extent, the effect of the clause which was introduced by the Government itself in the House of Commons. I do not know what the pressure upon the Government may have been, but it seems to me that after having so strongly advocated this clause in the House of Commons it is somewhat surprising that they should now support it in this House. The Amendment of the noble Lord seems to me to have this effect, that practically, instead of the operation being carried on for a series of years, and therefore the proportion being continually applied to the different holdings as was intended by the original Amendment, its operation will be confined now to one year, and the result may be that, if there is not application for a sufficient amount of the small holdings to come up to the whole amount allotted to them in the first year, the amount will then be transferred to the larger holdings. Am I right in that assumption?

*EARL CADOGAN: No, the clause is—

"A sum equal to the balance shall be deducted from the proportion available for such class of the total amount to which advances can be made in the county, and carried to a common fund to be available for advances for both the above-mentioned classes of holdings in that county."

I understood the noble Earl to say that it was for one year.

*THE EARL OF KIMBERLEY: The noble Lord is quite right in correcting the exact words I used, but it does not affect my argument at all. It will be carried into a common fund, that is to say, it will be carried to an account that will not be subjected in any way to the operation of this provision. The result of that will clearly be to a great extent to nullify the whole operation of this Act. What is the object of the clause? As was admirably pointed out by the noble and learned Lord (Lord Morris) who spoke a little earlier in this discussion, the object was that you should secure that there should be a certain portion of this money allotted to the small holders in Ireland. Now, you secure it for one year only. This operation is to come on not only for a limited number of years, but if the Act should take effect in the way which is desired the fund will be renewed from time to time, and this operation may go on for a

very long time. The result will be that in any given year, if the whole amount is not applied for by the tenants of the small holdings, so much will be deducted from the fund, as available for those small tenants, and will be thrown into a common fund to be made available for both the smaller and the larger tenants. I say that that must to a very considerable extent nullify the operation of the clause. I am surprised that that course should have been taken by the Government, because this clause is in point of fact a matter of principle, if it is worth anything at all. The principle of the clause is that when you are advancing a large fund for the purpose of creating an extensive peasant freeholding class in Ireland you should take care that the small holdings obtain their full share of this money in proportion to the number of those holdings, but if you depart from that principle then it seems to me that you give up as it were the whole object and aim of the clause. No doubt something will remain of the clause, but it is comparatively but a shred of it; and I must say that I think the decision of the Government will be received with very great surprise, and I anticipate that it will not by any means facilitate the ultimate passing of the Bill.

*EARL FORTESCUE: I rejoice extremely that Her Majesty's Government have yielded to what seems to me to be a most reasonable request very powerfully urged by the noble Marquess (Londonderry). The great object of this Bill is not to secure the existence or the creation, if you may say so, of a certain proportion of small proprietors and a certain other smaller proportion of large proprietors. The great object of the Bill generally is that it should come into extensive operation as early as possible, and that you should have in Ireland a greatly-increased number of landed proprietors. It seems to me that the main object of the Bill is far better secured by enabling the money allotted by Parliament for the purpose to be utilised in a reasonably short time than, for the sake of an arbitrary proportion, keeping back much of it unused for the chance of a number of occupiers under £50 a year ultimately taking it up; the occupiers of lands above £50 a year being all that while deprived, or the larger proportion of them, of any chance of buying the estates they had occupied. My impression is that the essential object of the Bill, as distinguished from the much smaller object of this particular clause, is far better carried out by the clause suggested by the noble Marquess, and acceded to by the Government, than by a rigid adherence to the imperfect clause as it was passed.

*EARL CADOGAN: I should like to say a few words in reply to the noble Earl opposite (Kimberley). My remarks may perhaps rather take the form of a question to him, as I am not sure whether I understood his objections clearly. The noble Earl said, I think, that the operation of this clause would take place not annually at the end of the year, but at the commencement of each fresh year. I do not know if that was it?

*THE EARL OF KIMBERLEY: No; the end of the year.

*EARL CADOGAN: What I understand is proposed to be enacted by the Amendment of the noble Marquess is this: that the proportion is to be decided for each year, and that at the end of the year, when it is ascertained how much of the money provided for under the clause remains unapplied for, the money so unapplied for is carried to a fund. Then I understood the noble Earl to say that the following year, when the apportionment is again fixed, that apportionment will be fixed having regard to the sum unapplied for in the previous year. That I do not understand to be the meaning of the clause.

*THE EARL OF KIMBERLEY: I did not mean to say that.

*EARL CADOGAN: If so, will the noble Earl explain how he can justify his argument that under this clause its operation would only last one year, because, as he explained, I think, in the following year the apportionment would be altered, whereas the object of the clause is that at the commencement of each year the proportion should be fixed, and it is only in the case of any portion being unapplied for that any of the money goes to the common fund?

*THE EARL OF KIMBERLEY: I am afraid I did not explain myself with perfect distinctness. I understood the operation of the clause to be precisely as has been

most clearly explained by the noble Earl opposite. The operation of the Amendment would be this, that at the beginning of each year the apportionment would be made in accordance with the principle of the original clause, and then at the end of the year, if any balance remained over and above the amount which had been applied for under either of the separate heads, that balance would be carried to a common fund. But, then, I understood that the same operation would be pursued in the following year—that is to say, the amount would be apportioned, and if there was any balance it would again be carried to the common fund. Then what I say is this, that you would be, as it were, whittling away the fund year after year. Instead of the whole of the fund being available in every year for the exact proportion into which the original clause divided the classes of holdings, you will have a sum carried to the common fund every year, and that sum, therefore, will be abstracted every year. Supposing that the effect will be—of course I have assumed all through the argument that it will be—that the amount for the small holdings is not entirely applied for, and that the large holdings get the benefit, it is possible that that result may not take place; of course if there is no balance I entirely admit that I am only saying that you run a risk, and I think a very serious risk, of considerably weakening the effect of the clause. I had not the advantage of hearing the previous arguments, but I really do not see what the object of the Amendment is, because if the original clause was rightly framed the principle of it was that it was desirable that these small holdings should obtain a certain proportion. Why, because they do not apply in any particular year, you are to carry over a certain portion of the fund to be applied for a purpose which at all events when you proposed the clause you did not approve of, namely, the giving it indiscriminately between the larger and smaller holdings, I am quite at a loss to understand. The only thing I can hope is that the operation of the Amendment may not be very extensive. I am quite willing to admit that it is possible that that may result, and, of course, if it is not very extensive the injury, according to my point of view, will be comparatively small. What I regret is that when there was a sound principle which had been laid down in the clause, the Government, as it seems to me, without any good reason, now depart from it.

*THE MARQUESS OF LONDONDERRY: My Lords, I am afraid I have not adequately explained the effect of this Amendment as I understand it. The noble Earl opposite talks about whittling away the money. There is no whittling away of the money at all. The sum of money to which I allude, which is to be taken into the common fund for the use of both classes, is the guarantee fund which is annually derived from each county, and it is only the surplus which is not taken up that I propose to distribute amongst both classes of tenants. I cannot think that the noble Earl wishes any amount of money to lie absolutely idle. Yet, according to his proposal, so far from whittling away the money, he would have the surplus lying absolutely idle. The noble Earl further says that the larger tenants will derive the benefit. I deny that. The Amendment simply provides that the money which is unapplied for by one class in one year shall not remain absolutely idle. If the noble Earl has not understood the effect of the Amendment, I fully allow that it is due to my inadequate explanation of it; but the case really lies in a nutshell, and is perfectly capable of any explanation that the noble Earl may choose to ask for.

*THE EARL OF KIMBERLEY: I may have misunderstood it. Is it the fact that, if any surplus remains in any given year over the amount that may be allotted in that year, that surplus is entirely lost to the fund? I cannot think that that is the case. This is an aggregate sum of money of so many millions which is voted by Parliament, and I apprehend that the sum will have to be entirely expended and exhausted; if not spent in one year it will have to be spent in another year. Then how can it possibly be said that this surplus is to be lost? It cannot possibly be lost; it will be carried on to another year, and then be expended. I really do not understand what the noble Marquess means at all.

*THE MARQUESS OF LONDONDERRY: I mean as far as the large tenants taking it up it will be lost. I proved

that by the figures that I quoted. The guarantee fund goes on annually.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11.

*Viscount De VESCI: In the temporary absence of my noble Friend Lord Castletown, I beg to move the Amendment which he has placed on the Paper. Its object is to provide that, if a landlord and tenant so agree, stock may be advanced to enable the tenant to fine down his rent to such a fee farm rent as shall not exceed 50 per cent. of the rent which, in the opinion of the Land Commission, would be a fair rent of the holding. The tenant would thus pay a very greatly reduced annuity as representing the half that is wiped out. The advantages on the part of the vendor would be these. There may be, and probably are, cases where a landlord who has charges on his property wishes to realise sufficient to pay off such charges. He would, under this scheme, be able to do so, while, at the same time, he would remain on and hold very much the same position, and retain very much the same influence that he has hitherto held in his county and in the district. Another advantage is that there would be reserved absolutely and unconditionally to the landlord all the royalties, such as minerals and turbary, sporting rights, and so forth attaching to the holding.

Amendment moved, in page 12, after line 7, to add, as a new Clause—

"(1.) Where a sale of a holding is about to be made by a landlord to a tenant in consideration of the tenant paying a fine and engaging to pay to the landlord a fee farm rent, the Land Commission may make an advance to the tenant to the amount of such fine, provided that the fee farm rent shall not exceed 50 per cent. of the rent which, in the opinion of the Land Commission, would be a fair rent for the holding.

"(2) The provisions under this section for securing advances for the purchase of holdings, and for the repayment of same, and for distribution of purchase money, shall be mutatis mutandis the same as those in reference to cases of purchase and sale by tenants of their holdings under this Act.

"(3.) Where any advance has been made to a tenant to fine down his rent under the provisions of this section, no guarantee deposit shall be retained by the Land Commission out of such advance, but the purchase-annuity payable to the Land Commission in respect of any such advance shall be a charge upon the holding in priority to the landlord's rent, and shall be collected from the tenant by the landlord and paid over by him to the Land Commission."—(The Lord de Vesci [*V. de Vesci*].)

*Earl FORTESCUE: There is one other advantage that would accrue. The advance made by the Government would be halved, and therefore the fund available for the purchase of land would *pro tanto* be increased.

*The LORD CHANCELLOR of IRELAND: The object involved in this Amendment is one with which we are all familiar. It has from time to time been brought before the public in articles and pamphlets and in speeches in the other House of Parliament, and sometimes in this. But it is obvious that it represents a very wide scope of operation and that it does not fall within the scheme of the present Bill. I do not say that on its merits there is not a great deal to be said for the considerations involved here, and that I have not myself heard very powerful arguments in support of schemes for fining down rents. It is an argument with which everyone in Ireland who has at all considered this question is tolerably familiar. This Amendment presents the question quite fairly, and anyone who can read it can understand the topic. But, after consideration, the Government here, as they were obliged to say elsewhere, do not see that they can accept it. It might open up a wide field of operations, and it would not fall in with the general scheme of tha Bill, which proposes to create tenant proprietors by enabling them to buy their holdings out and out, rather than having a kind of half-way house such as is proposed in this Amendment. I do not myself wish to say anything that would prevent fair consideration being given to these proposals when my noble Friend may think proper to present them, but I do not think that they are in harmony with the scope of operations of this Bill. They have been fully considered elsewhere and here by the Government, and I regret that it is impossible for me on their behalf to say that we can assent to the Amendment of my noble Friend.

Lord CASTLETOWN: After what has fallen from my noble Friend opposite I have, of course, no course left but to withdraw the Amendment, although I confess that I am very sorry that that

course has been forced upon me. The Amendment was moved on the assumption—and I believe the assumption was well grounded—that, owing to what has transpired in another place, something of that kind might be accepted. The object of the Amendment practically is, as my noble Friend says, to fine down rents. It would benefit four parties. The tenant would become practically owner under the fee farm rent, and therefore would be able to deal with his holding in whatever way seemed best to him for the advantage of his family and others. The Government would be assisted in the disposition of the money, because half only would be advanced instead of the whole. The taxpayer would get a better security, because there would be two things to go against —the interest of the tenant and the interest of the landlord in the holding —and I am told that it would be very largely availed of in the North of Ireland, where it has been thoroughly understood, and has been already acted upon. And I would also draw attention to this cardinal point, that the principle of the Amendment is contained within the Land Act of 1881, in the purchase clauses, Section 24, Sub-section 1 (b). It was not availed of very much under that Act, but it was in certain instances, and in the Amendment as drafted the working of the arrangement has been materially improved. I regret that the Government do not see their way to accept the Amendment.

Amendment (by leave of the Committee) withdrawn.

Clause 12 amended and agreed to.

THE EARL OF ARRAN: I need hardly detain your Lordships with any observations upon the Amendment which stands in my name. I propose to insert a clause which provides that as long as any of the instalments due by the purchaser remain unpaid he shall be prevented from performing certain acts, and shall be obliged to do certain other acts which are enumerated; and if, after due notice has been given by the Commissioners, he persists in contravening the provisions of the Act, the Commissioners shall have the power of selling the holding. With your Lordships' permission, I will omit Sub-section (3) as it appears on the Notice Paper, and on Report I will bring up either another sub-section or another short clause to enable the Land Commission to bring the offending tenant before a Court of Petty Sessions, and, if his offence is proved, to have him fined a sum not exceeding £5. I may add that this clause is taken almost verbatim from the Land Department Bill, substituting the words "Land Commissioners" for the words "Land Department." I hope your Lordships will see that this clause does nothing more than prevent, as long as possible, a purchaser doing anything that will injure either the neighbouring occupier or the neighbouring owner, or doing anything to decrease the value of his holding as security for the advance made.

Amendment moved, in page 12, after line 27, to insert as a new clause—

"(1) A holding, while subject to a purchase-annuity under the Land Purchase Acts, shall, as between the Land Commission and the proprietor for the time being of the holding, be subject to the following conditions of purchase, that is to say, to the conditions specified in section thirty of the Land Law (Ireland) Act, 1881, and also to the following conditions:

(a) The proprietor shall not, without the consent of the Land Commission, do any act which, if done by a tenant at will, would as between him and his landlord be waste.

(b) The proprietor shall keep all main drains and water courses upon the holdings at the date of the agreement for sale in good order, repair, and condition.

(c) The proprietor shall permit any person authorised in that behalf by the Land Commission at all reasonable times to enter upon the holding and ascertain how far the several conditions of purchase are being observed.

(2) Where the proprietor persistently, after written notice given by the Land Commission requiring him to observe the same, contravenes any of the conditions of purchase which are set out in this section, or where the holding is liable to be sold for a breach of any of the conditions of purchase specified in section thirty of the Land Law (Ireland) Act, 1881, then, without prejudice to any other remedy, the holding shall be liable to be sold under this Act."—(The Lord Sudley [*Earl of Arran*].)

THE DUKE OF ABERCORN: It appears to me that this clause is a very reasonable one. It will provide that the proprietor shall act reasonably as regards his neighbours, and not allow watercourses to get blocked up, or keep his drains in bad order. A proprietor or a tenant may have a holding or a small

property under purchase on the side of a hill; there may be a water-course or a small stream running through it; if he is neglectful and careless, that stream may get blocked, very much to the injury of his neighbours above and below. I hope that the Amendment will meet with the approval of the Government.

*THE LORD CHANCELLOR OF IRELAND: This is an Amendment which has been presented to your Lordships most fairly and concisely by my noble Friend. It is a clause which, in substance, is found in the Land Department Bill, and I may say that in substance I am personally very friendly to it. My noble Friend says that he would wish on Report to alter Sub-section (3), and he explained the kind of change that he intended. It might also be expedient to consider the words of Sub-section (a); and if it would meet the views of my noble Friend, I should be glad if he would postpone the whole clause until the Report stage. In the meantime, I shall be very glad to speak to him.

Amendment (by leave of the Committee) withdrawn.

Clause 13 agreed to.

Clause 14.

THE EARL OF DONOUGHMORE: The Amendment which I rise to move is one which I hope will meet with acceptance by your Lordships. A similar Amendment was proposed in the other House, but exception was taken to its form, and a high authority connected with the Government stated that, probably if the drafting was improved, it would be favourably considered in your Lordships' House. The Amendment is a very simple one. There is nothing obligatory about it. It is to enable trustees of incumbrancers and others, if they so desire, to agree with an owner to take the incumbrancer's share of what arises from the sale of the property in guaranteed land stock at par. There are a great many properties at this moment which an owner could not sell unless some arrangement of that sort was was made. At present the trustee's hands are entirely tied; he cannot in the position he holds consent to take this stock in payment of what is due to his *cestuis que trusts* unless some special enactment is made for that purpose. It is very likely that a great many properties would have to remain out of the market for this very reason. Therefore, the Amendment is calculated to foster and encourage the objects which this Bill desires to promote. I cannot see any objection to the clause, and I hope my noble Friend will assent to it. The second part of the clause is to have the same effect with regard to sales in the Land Judge's Court, in which cases also there is at present no power to enable the Land Judge to accept Guaranteed Land Stock in payment.

Amendment moved,

In page 13, after line 8, to add the following new sub-section:—("The trustee or trustees for the time being of any incumbrance, charge, or annuity, or rent, with the consent of the person or persons for the time being entitled to receive such annuity or rent, or to the interest on such incumbrance or charge (notwithstanding any provision to the contrary contained in the instrument creating the trust), may at his discretion accept or agree to accept in payment of such incumbrance or charge, or of the capital value of such annuity or rent, a sum of guaranteed land stock equal in nominal amount to such incumbrance or charge or capital value. Where a holding or holdings or an estate are sold by the Land Judge to the tenant or tenants thereof, the Land Judge shall be empowered to accept guaranteed land stock at its nominal amount in payment from the Land Commission.")—(The Viscount Hutchinson [*Earl of Donoughmore.*])

*THE LORD CHANCELLOR OF IRELAND: I think this Amendment will be a great improvement to the Bill, and I very readily accept it. I am not quite sure that there may not be a slight drafting Amendment still to be made, but that can be effected at a later stage of the Bill.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 15 agreed to.

Clause 16 amended, and agreed to.

Clause 17.

Amendment moved, in page 15, line 1, leave out ("or to any annuity created under this Act.")—(*The Lord Privy Seal.*)

THE MARQUESS OF WATERFORD: I must object to this Amendment. I think it is most unreasonable, because it is depreciating the stock which we Irish landlords are to take in payment for our

land. In the Bill as it comes up from another place, it is provided that the stock shall be taken in payment of certain charges, such as instalments or annuities in respect of the purchase of tithe rent-charge under the Irish Church Act, 1869, or the Irish Church Amendment Act, 1872, and various other things, and it is arranged, very fairly, I think, that it is to be taken in payment "of any annuity under this Act." Now, consider the position. We are anxious, and I think all your Lordships will be anxious, to encourage the purchase of this stock as much as possible. You want to keep this stock up to par, and a tenant might very reasonably wish to buy this stock and to pay his instalments in it. Further, as some of my noble Friends have pointed out to your Lordships, a landlord may be obliged very much against his will to buy a holding upon which there has been default. He will then have to pay the instalments on that holding for the future; surely he ought to be allowed to pay them in this stock, in which you have paid him. It seems to me an extraordinary thing that, having paid him in land stock, you should refuse to take the land stock from him in payment of the charge which has been created. I hope my noble Friend will not press this Amendment, because it seems to me to be really most unfair. I pointed out to your Lordships on the Second Reading that the Chancellor of the Exchequer had refused to take this stock in payment of debts due to the Government. This is carrying it still further. It is refusing to take stock which was created to purchase a certain holding if the landlord has to pay the instalments instead of the tenant.

*THE LORD CHANCELLOR OF IRELAND: I do not think I quite follow the objection of my noble Friend, although he has spoken so clearly. This does not appear to be a clause which deals with the acceptance or the refusal of Irish Land Stock. It is one dealing with settled land, and the powers of Trustees with regard to settled funds. It is dealing with cases of settled lands, and the powers of Trustees in reference to those sales and of binding trust funds.

THE MARQUESS OF WATERFORD: It speaks of "an annuity created under this Act." How can the noble Lord say that that applies solely to trust funds?

*THE LORD CHANCELLOR OF IRELAND: I am afraid I have not made my meaning plain. The clause as it stands in the Bill says—

"When any land, being settled land within the meaning of the Settled Land Act, 1882, is sold under the Land Purchase Acts as amended by this Act, and such land is subject to—"

Then it names all these things—

"It shall be lawful for the trustees of such settled land, or other person to whom the purchase-money thereof is payable, to apply the same in the redemption of any such instalment mortgage, charge, instalments, or annuity, as aforesaid, or such part of same as may at the time of such sale be apportioned in respect of the land sold."

It deals with the powers of Trustees under the Settled Land Act. The earlier part of the Bill shows the necessity for the Amendment. However, my noble Friend can consider it before Report, and I shall be very glad to speak with him if he desires it.

THE MARQUESS OF WATERFORD: Can my noble Friend tell me why this clause is brought into the Bill? because it must have been put in for some purpose.

*EARL CADOGAN: There can be no sale under any annuity created by this Act. If the noble Lord will look at page 10, Sub-section 4, he will see—

"An advance shall not be made under the Land Purchase Acts as amended by this Act for the purchase of any holding for the purchase of which advances have been made under the Land Purchase Acts, whether before or after the passing of this Act, and whether under this Act or otherwise, until the entire annuity for the repayment of such advances has been paid or redeemed."

THE MARQUESS OF WATERFORD: I will leave the matter over till Report.

Amendment agreed to.

*THE EARL OF BELMORE: The next Amendment which stands in my name also relates to this 17th clause. The addition which I propose to make to the clause is designed to carry it to its logical conclusion. I believe the history of the clause is this. It was not in the Bill as it was originally introduced into the House of Commons, but it was accepted by the Government in Committee. Owing to some conflicting decisions in the Irish Courts, doubts had arisen as to whether in the case of terminable annuities representing the

old tithe rent-charge, where it had been commuted on any particular estate, the Trustees of a settled estate were at liberty to apply the purchase money in the redemption of those annuities; the alternative, of course, being that the tenant for life had to redeem out of his own private funds, or else that the sale should take place subject to the payment of the tithe by the tenant-purchaser, which is, of course, an inconvenient and objectionable mode of carrying out a sale. The Government have accepted the clause which now stands as Clause 17 in the Bill, and have removed any doubts as to what may be done in the future. But it is the fact that a great many redemptions of this kind have, with the sanction of the Court, already been carried out. The object of the words I now propose is merely to prevent any questions or difficulties arising with regard to the application by Trustees of this money. This money, I may observe, is, of course, in the hands either of the Court or of the National Debt Commissioners, and is capable of being followed up; but it is really matter of procedure more than of principle, and I hope my noble Friend will agree to accept the addition which I propose to the clause.

Amendment moved,

In page 15, line 6, after ("sold") to insert ("and where any such instalment, mortgages, or charges have been redeemed out of the proceeds of any settled land prior to the passing of this Act, the provisions of this section shall apply in the same manner as if such redemption had been made after the passing of this Act.")—(*The Earl of Belmore.*)

*EARL CADOGAN: I must ask my noble Friend to allow this to stand over till Report. It is a Treasury matter.

*THE EARL OF BELMORE: The Amendment was not put on the Paper as early as some of the others, and it must stand over if the Treasury have to be consulted; but I hope they will agree to it. I do not think really it affects the Treasury very much; it really affects the powers of Trustees.

Amendment (by leave of the Committee) withdrawn.

Clause, as amended, agreed to.

*THE MARQUESS OF LONDONDERRY: The Amendment I propose to move is not new to the Government; it is a clause in their Land Department Bill. Under present circumstances a tenant for life is placed on a very disadvantageous footing as compared with a tenant in fee. A tenant in fee is able to sell his estate and invest the money as he thinks fit; a tenant for life can only invest the money at 3 per cent. Naturally this must militate very strongly against sales under the measure now before us. Where a tenant in fee is able to sell at, say 4 per cent., he is able to take, say 18 years' purchase, while the owner of property of equal value, who is only allowed to invest at 3 per cent., must necessarily sell at 24 years' purchase, to be placed on an equal footing with his neighbour. Moreover, I think it presses extremely hard on what I call the good regular paying tenants. There are many landlords in Ireland whose rents are paid regularly, and who utterly decline to sell to their tenants the holdings for money which they would have to invest at 3 per cent., when they are receiving even more from the tenants themselves. The Amendment which I have the honour to move merely proposes to free trustees from all liabilities with regard to the investment of the purchase money of their estates—of course, subject to the concurrence of the tenant in remainder. This will enable moneys to be invested in any security approved by those interested, whilst at the same time it is provided that the section shall not authorise an investment in any security specifically forbidden by the settlement. I cannot think that my noble Friend will object to this very simple Amendment.

Amendment proposed, in page 15, after line 6, to insert as a new Clause—

"(1.) Where the land comprised in a holding sold to a tenant is settled land within the meaning of the Settled Land Acts, 1882 to 1887, and the purchase money for such holding is received by the trustees of the settlement, those trustees, according to such direction and subject to such consent (if any) as is required by the Settled Land Acts, 1882 to 1887, may in their discretion invest the money not only in any security authorised by the settlement for any trust fund comprised therein, but also in any other securities the investment in which is consented to by the person who next after the then tenant for life, and his or her wife or husband, is entitled to the money for his life or for any greater interest, and if such person is under disability, the consent may be given in manner provided by section seventy-three of the Landed Estates Court Act.

(2.) Where the persons so entitled are trustees they may give the said consent without incuring any liability, and may give it before the agreement for sale is made, and where the persons so entitled are entitled as tenants in common, a majority of the persons representing more than half the value of the whole of the property of such tenants in common may give the said consent.

(3.) In the case of settled land, if there are no trustees of the settlement, trustees may be appointed under the Settled Land Acts, 1882 to 1890, before any such agreement for sale is made, and the trustees of the settlement may, before any such agreement for sale is made, consent to the securities in which money arising from any sale is to be invested.

(4.) This section shall not authorise an investment in any security specifically forbidden by the settlement, but shall have effect notwithstanding any general prohibition of investing in securities not mentioned in the settlement." —(The Earl Vane [*Marquess of Londonderry*].)

*LORD HARLECH: I confess that when I read this clause I was rather alarmed as a Trustee that such a wide difference in the existing law should be allowed to pass, and I still think that we ought to put some limit upon the securities permitted. According to this Amendment, the money may be invested in any security authorised by the settlement for any trust fund proposed therein, and also "in any other securities." That allows a very wide margin. It might be that the owner and remainderman might invest in Argentine Waterworks, or Mexican Tramways, or any other such rubbish. Therefore, I hope the noble Marquess will not object to adding after the words "also any other security" the words "approved by Parliament." I beg to move that as an Amendment.

Amendment moved to the proposed Amendment, after the word "securities," in line 8, to insert the words "approved by Parliament."—(*The Lord Harlech.*)

LORD CASTLETOWN: I hope the noble Lord who has just spoken will reconsider his suggested Amendment. The great object, as I take it, of the Amendment moved by the noble Marquess is to enable those landlords who are dealing with settled estates and selling them to their tenants, to come to an optional arrangement with their Trustees, and make such provision that they will be enabled when the sale is effected to have almost, if not quite, as much income from the investment as they have at the present time from the land. I confess that I attach very great and grave importance to the Amendment. I believe that if it is carried in the form drafted by the noble Marquess it will assist materially in effecting purchases, as many landlords who are at present hanging on to what may be called the margin that is left to them will be enabled to invest in securities which will be perfectly safe. I cannot agree with the noble Lord who has just spoken, that there is danger of investment in rubbish because the arrangement will have to be entered into between the Trustee, the tenant for life, and the remainderman if any. Therefore, there are three parties to the bargain, and it is not likely that they would invest in Mexican Trams or Argentines.

*LORD HARLECH: But the Amendment absolves the Trustee from all liability; therefore, he may be as reckless as he pleases, and invest in the rubbish that I spoke of.

LORD CASTLETOWN: Not if the remainderman and the tenant for life are dealing with the matter, because it is to their advantage to see that the trust is properly administered. If the Amendment moved by the noble Lord (Lord Harlech) is carried, it will simply put back the arrangement of a trust fund to the ordinary Trust Act, which is limited to about $3\frac{1}{2}$ or $3\frac{1}{4}$ per cent.

LORD HERSCHELL: As I understand the view which forms the basis of this clause, it is this, that in reality the land which is sold cannot be regarded as a security of the same class as the securities in which alone the money can be invested; that is to say, that the person entitled to the income suffers by reason of the increased value of the security, if the securities are limited in the way in which they would be limited at present according to the law. Therefore, the idea is that you may perfectly justly permit a wider range of investment, which would increase the income of the person entitled to receive the income, and at the same time give quite as good a security as is given by that which is exchanged for the money to be invested. That is the principle which is embodied in this clause. Those who are entitled after the existing tenant for life are sought to be protected in this way. Of course the existing tenant for life, it may be said, may induce the Trustees to embark in an investment,

producing a high rate of interest, but the security of which is infirm. But then, he cannot do that of himself; the person next entitled after him, who is looking forward to the future, who has no present interest, who does not at the moment benefit in the least by the increase of income, must give his consent. Therefore, the idea of the clause is that you may reasonably apprehend that he will not give his consent to a security from the increased income from which he gains no immediate benefit, unless he believes that that security is a sound one, and will preserve to him the capital at the time when he comes to receive the income of it. Now, I cannot help thinking—it may be that it needs further safeguarding—that those views suggest a very considerable argument in favour of a clause such as this; that it does avoid certain injustice which would otherwise result from a compulsory increase of the security, coupled with a compulsory diminution of the income; whilst, on the other hand, it is so safeguarded as reasonably to secure that, if the income is to be made somewhat larger than it otherwise would be, the security shall not be diminished substantially or to a dangerous extent. I should be happy, therefore, to see some provision of this description added to the Bill, even if it needs further safeguards to be provided hereafter.

*Earl CADOGAN: I think the noble and learned Lord has given the best possible reasons for passing this new clause without the Amendment suggested by my noble Friend Lord Harlech. My noble Friend's view apparently was that the clause as it stood would allow too large a latitude for the investment in securities which he very properly called rubbish; but the responsibility for the rubbish would be shared by those holding the next interest after the tenant for life, and I think the security, therefore, is ample. The clause is, indeed, one which appeared in the Government Bill which was dropped in its passage through the other House, and the Government are prepared to support the Amendment of the noble Marquess.

*Lord HARLECH: I ask leave to withdraw my Amendment.

Lord Herschell

Amendment to the proposed Amendment (by leave of the Committee) withdrawn.

Original Amendment agreed to.

*The Earl of BELMORE: I rise to move another new clause, which I will explain in a very few words. The object of it is to extend the powers of apportionment of redemption, given by the sections of the Act of 1887, to superior grants or leases. It is thought that this will be of advantage to all parties concerned, and I hope the Government will agree to it.

Amendment moved, after Clause 17, to insert the following new Clause—

"Where any tithe rent-charge, annuity, rent-charge, or rent, or any apportioned part thereof, is ordered to be redeemed pursuant to the provisions of the Land Law (Ireland) Act, 1887, the Land Commission shall have the same powers in respect of the purchase money thereof as are contained in Section 14, Subsection 1, of the said Act, and the provisions of the sixteenth section of the said Act shall apply to any superior rent affecting such tithe rent-charge or rent, or to any fee-farm grant or lease reserving the same."—(*The Earl of Belmore.*)

*The LORD CHANCELLOR of IRELAND: The Government assent.

Amendment agreed to.

Clause 18, amended, and agreed to.

Clause 19, amended, and agreed to.

Clause 20 agreed to.

Viscount De VESCI: My Lords, I have to move the new clause standing on the Paper in my name, which I propose to alter by prefixing the words—

"The Land Commission, while any such sale is pending, and also if unable to sell, or if they think it useless to attempt a sale, shall temporarily let or manage the holding for such time, and in such manner as they think expedient."

This clause is practically a Government clause. It was inserted in the Bill of last year, and again in the Land Department Bill of this year. Its object is to enable the Land Commission to take possession of the holding through the Sheriff as soon as they think fit, as a prior matter to taking proceedings for the recovery of the annuity.

Amendment moved, after Clause 20, to insert the following new Clause:—

"The Land Commission while any such sale is pending and also if unable to sell or if they

think it useless to attempt a sale, shall temporarily let or manage the holding for such time and in such manner as they think expedient.

For the purpose of the sale or of the management of a holding under the Land Purchase Acts, the Land Commission may issue an order declaring the holding to be vested in them, and directing the Sheriff to put them or their agent or nominee into possession of the holding, and thereupon the holding shall vest in the Commission as if possession of it had been recovered in an action for the recovery of possession on the title at the suit of the Commission, and the order shall be executed by the Sheriff in the like manner as a writ of possession after a judgment recovered in such an action."—(The Lord de Vesci [*Viscount de Vesci*].)

THE MARQUESS OF WATERFORD: I wish to say one word upon this Amendment. Probably Her Majesty's Government are not aware of the present procedure when a man purchases a holding. Of course the Government look forward to the future in the working of these Acts in the hope that the tenantry of Ireland will come forward and purchase their holdings. They are the only purchasers really possible in Ireland. Occasionally you will have a landlord who will buy, in order to avoid losing his guarantee deposit, but it is to the tenant purchasers that you must look really to work these Acts, because no matter how many safeguards you may put in they will be broken—in Ireland as elsewhere—I do not say largely; I hope it will not be; but you must expect occasional defaults. In England you have continually tenants breaking. Therefore, it is to the tenantry of Ireland that you must look when such time comes. As a matter of fact, the agitation is now dying out. Peasants are already taking evicted farms and working them all over Ireland, and we may look forward with assurance to the time when the agitation shall have entirely ceased, and tenants will be prepared to buy any farm that is put up for sale. Now, I want to point out some of the difficulties of the present system. I myself have bought some farms; not many—three or four—but I have been obliged to buy them because the tenants defaulted. The first thing I was told to do was to ask the tenant whether he would give me possession. I have a bailiff, and I sent my bailiff; but the poor tenant farmer, or the big tenant farmer, who will become a purchaser will not have a bailiff, he will have to go himself. I ask whether your Lordships think tenant farmers will go to a man and ask him to give possession? You have to send to the Land Commission the answer which the tenant gives, which is generally not a very civil one. That will, in the first place, prevent the tenant farmer buying. Then, after giving the tenant three weeks or so rest, you again are told to ask him to give possession, and he again refuses. The tenant farmer would have to go himself—I sent my bailiff. After having got possession, you have paid your money down—everything is as you might wish it to be—and the Land Commission order the Sheriff to place you in possession. Well, the Sheriff will not remove the tenant's effects—it is not his duty to do it; he will give you possession provided you remove them. I ask your Lordships how many tenants are there in Ireland who could if they wished to do so, or would do so, in any circumstances, go to the farm of a man who had defaulted and turn out his effects on to the road side? It is a most invidious position to ask him to take. It is an impossible position; he will not do it. Therefore he is being excluded by the Act as it is at present from purchasing. He is your only tenant, and you are excluding him from purchasing. If he decided to remove the effects on to the side of the road, he would have to employ emergency men, and tenant farmers in Ireland are not very fond of employing emergency men. I will relate to your Lordships the experience of a friend of mine in my own district. This gentleman's tenants defaulted. The farm was put up for sale and he purchased it from the Land Commission; he paid his money down. When the Sheriff was directed by the Land Commission to eject the tenant and place my friend in possession, the Sheriff went, and found the poor old woman who was in possession was dangerously ill with a bad heart. The Sheriff refused to give up possession. The Sheriff was perfectly right; no man who had any humanity in his disposition could wish a poor old woman of that description turned out. But see the position my poor friend was placed in. He had paid his money down; he was then refused possession of the holding.

He asked the Land Commission to refund his money. They said, "Nothing of the sort; you have bought the farm." But worse than that. The first instalment came due. My friend had been, of course, unable to work the land or do anything with it, and he refused to pay the annuity. The Land Commission said, "You have bought, and you are bound to pay the annuity." My friend still refusing, action was brought, and the decision was given against him; he had to pay up all the instalments of the annuity. At last the poor old woman died, and so relieved him from the intensely awkward and disagreeable position in which he was placed. But if the woman had continued to live for a lengthened period my friend would still be paying the annuity, although receiving nothing whatever in exchange. I think, therefore, my noble Friend ought to accept this Amendment, which will prevent such a ridiculous state of circumstances arising in the future.

*EARL CADOGAN: We are prepared to accept the clause.

Amendment agreed to.

Clauses 21 and 22 agreed to.

Clause 23.

*VISCOUNT DE VESCI: The Amendment which stands in my name is practically to re-constitute the Land Commission, especially in regard to its being a Court of Appeal. I would remind your Lordships that the first two lines of the clause as it stands state that—

"From the commencement of this Act the Land Commission shall be perpetual, but it shall be lawful for the Lord Chancellor to remove, for inability or misbehaviour, any Commissioner other than the Judicial Commissioner."

I propose to insert after the word "perpetual" the words

"And shall consist of two land judges and four land commissioners,"

and so forth. Now, to put it shortly, the object of this Amendment and of the subsequent ones that I have put on the Paper is to constitute a thoroughly satisfactory Judicial Court of Appeal upon all points that may arise under the Acts of 1881 and 1885. I will detain your Lordships only a short time while I remind you of the principal Acts of Parliament affecting Irish land. First, there is the Act known as the Encumbered Estates Act of 1849. The next is the Landed Estates Court Act of 1858, and that Act was amended, I believe, by the Court of Judicature (Ireland) Act of 1877. These Acts constituted what is called the Landed Estates Court, which is administered by a Judge of the High Court under the name of the Land Judge. I need hardly remind your Lordships of the high reputation enjoyed by the present occupier of that office, and by his distinguished predecessors. Passing over the Acts of 1860 and 1870, which latter Act contains the germs of purchase in what are known as the Bright Clauses, we come to the Act of 1881, the principal object of which was the settlement of judicial rents. That act is administered by a Commission consisting of a Judicial Commissioner with the rank and *status* of a Judge of the High Court, assisted by two Land Commissioners, who by Sub-section 3 of the clause we are now discussing are to hold office by the same tenure as a County Court Judge. In addition to these three Commissioners, there is a staff of Sub-Commissioners. The Judicial Commissioner and the two Land Commissioners are the first, and in most cases the only, Court of Appeal in all matters arising out of the decisions of the Sub-Commissioners. Then there is the Act of 1885, which is the first real Purchase Act that we have to do with, dealing solely with purchase, and administered by two more Commissioners, who are appointed solely for the purpose of purchase, and added to the Commissioners under the Act of 1881. Therefore, the principal persons who administer the Land Laws of Ireland are the present Land Judge of the Landed Estates Court, the Judicial Commissioners, and the two Land Commissioners under the Act of 1881, and two more Commissioners under the Act of 1885. This, my Lords, is the *personnel* which the Amendment proposes should constitute a perpetual Land Commission. If the Amendment is accepted, there is a further Amendment on the Paper in the name of my noble Friend sitting below me (Lord Castletown) dealing with the manner and method of procedure in appeal cases.

My Lords, you have got a Land Judge with very full knowledge of all transactions affecting the sale and purchase of land and the clearing of title, and therefore fully capable, I submit, of dealing with all cases that may arise certainly under the Purchase Act or the Act of 1881. The converse applies to the Judicial Commissioner, who belongs to the Land Commission. Then you have the four Land Commissioners, who have all had full experience in their several Departments. Apart from the question of appeals, which is a very important part in the constitution of this Court, I submit that all rules of procedure and of policy in regard to the administration of the Act should only be adopted after very careful deliberation and consultation, and on the responsibility of highly trained and capable Judges; they ought not to be the outcome of mere *obiter dicta* on the part of individuals, such as were so severely and strongly animadverted upon by the Marquess of Londonderry in his speech on the Second Reading. I need hardly remind you that agriculture being the paramount industry of Ireland, the decisions of a Court like this are of paramount interest to the people of that country. This Land Court, if it is re-constituted, will be to all intents and purposes a Division of the High Court, administering the laws affecting landed property throughout the country. Is it politic or is it just that such a tribunal should be controlled by persons less qualified than Judges of the highest experience and standing? In the interests of landlords as well as of tenants who wish to have their rents fixed, in the interests of vendors and purchasers who wish to agree upon a transfer of land, we desire above all things to have a strong Court, commanding public respect, and above all suspicion of being the nominees of Political Parties or of any particular interest. I acknowledge that the operation of the Amendment will probably be to absorb into the Land Court the greater part of the staff, and probably also to transfer a good deal of the business of the Landed Estates Court to the Land Commission. And not the least recommendation that I have for the Amendment is that it entails no extra cost on the Treasury. I would remind your Lordships of a section which is proposed by the Government, that—

"If and when at any time the judicial commissioner is temporarily unable to attend, or his office is vacant, the Lord Chancellor may nominate a judge of the High Court to act temporarily in his place."

That would strengthen the Court in the event of inability on the part of any individual Judge to go about the country hearing appeals under the Act of 1881. All appeals liable to arise under the Act of 1885, or any of the Purchase Acts, would probably be heard, naturally, in Dublin. I think it is only convenient to state just now that I shall propose, whenever the term "judicial commission" occurs in this clause, to substitute for it the term "land judge." They would be practically Judges of the High Court of Justice. It is a simpler term, and more easy to be understood. The term "judicial commissioner" is extremely cumbersome, and I think hardly suitable. I beg to move the Amendment which stands in my name.

Amendment moved, in page 17, line 2, to leave out ("but") and insert—

"And shall consist of two land judges and four land commissioners. The land judges shall be the persons who are, respectively, at the commencement of this Act the land judge under the Supreme Court of Judicature Act (Ireland), 1877, and the judicial commissioner of the Land Commission appointed under the Land Law (Ireland) Act, 1881, and their successors duly appointed from time to time.

The land commissioners shall be the persons who are, at the commencement of this Act, the commissioners of the Land Commission appointed under the Land Law (Ireland) Act, 1881 (other than the judicial commissioner), and the additional commissioners of the Land Commission appointed under the Purchase of Land (Ireland) Act, 1885, and the persons who may from time to time be duly appointed as successors to any of such commissioners."—(The Lord de Vesci [*V. de Vesci*].)

*THE LORD CHANCELLOR OF IRELAND: I think it must be obvious to anyone who has studied this Bill carefully, and considered its history and its progress elsewhere, that it would be impossible for the Government to accept the Amendment which has been moved by the noble Viscount. It seeks to make an absolute change in the governing tribunal under the Bill, and it seeks to cast upon a Judge, who is not bound to accept them, duties of a very high and important character. Mr.

Justice Monroe, who is the present Judge of the Land Court, is sought to be brought *per saltem* into this tribunal, without any statement from him on the subject, or any communication. It is obvious that that cannot be done. The Government, of course, very fully considered every bearing of this most important question, of what was to be the constitution of the Land Commission, and it would be impossible for them now, at this stage of the Bill, to make such a wide change as that proposed by the noble Viscount.

LORD CASTLETOWN: I regret exceedingly to hear what the noble and learned Lord has said, and I must traverse very clearly and distinctly his statements. I do not at all agree with what he has said as to the inability of the Government to re-constitute the Court if they choose. If they do not choose, it is a very simple thing to say so. What we have tried to do is to make a really strong Court, a really valuable Court, and one that will deal fairly and properly with the distinct questions which are placed before it. What the Government have got now is a Court that is mixed up with Fair-Rent Judges and Land Purchase Commissioners, and what you are going to do is this: you are going to have a Fair-Rent case dealt with by a Land Purchase Commissioner, who absolutely can know nothing about the matter, and who will import into it other questions which he ought not to deal with, and *vice versâ;* you are going to have a Land Purchase case dealt with by a Fair-Rent Commissioner, who will import into the whole question the fair rent arguments and conditions. My noble and learned Friend said that the Landed Estates Court Judge was going to be brought in at a jump; I cannot see any objection to that being done. The Landed Estates Court Judge at the present moment has to deal with the very questions that will come under this particular Bill, and why he should not be utilised in the Land Commission Court I cannot see. Then, again, he says that my noble Friend would upset the arrangement under the Bill. Surely it would be very easy, if it were desirable to do so, to slightly re-model those arrangements.

THE MARQUESS OF WATERFORD: I would like to ask my noble Friend how suitors are to decide as to what are questions of law and what are questions of fact. The Judicial Commissioner has to decide questions of law, and the other Commissioners have to try questions of fact. Are suitors before this Court to have two separate suits—in the first instance a suit to find out what are questions of law and what are questions of fact, and in the second instance the suit to actually ascertain their rights?

*THE LORD CHANCELLOR OF IRELAND: A Judge of the High Court is the head of the whole tribunal. There has never been the slightest difficulty in the matter. Suitors have only to express to the lay Commissioners the slightest desire to have a question of law argued, and it is reserved at once for the Judicial Commissioner, and can be taken straight from him to the Court of Appeal.

Amendment negatived.

LORD CASTLETOWN: I must apologise for trespassing so much upon your Lordships' time, but the Amendment which I have now to move is one upon which I believe I am justified in saying a few words. I do not intend to go into the question deeply, nor do I desire to press it, but I want to ventilate what I think I may safely call a certain grievance. The intention of this Amendment is to regulate to a certain extent the salaries of those gentlemen who are administering the Acts of 1885 and 1887, and who will administer the Bill that is now before your Lordships. I would venture to put before your Lordships very shortly indeed, what was said upon this question in the other House, and I think it will guide you to what may be a proper view to accept in this House. With reference to the salaries now paid to the Commissioners under the Act of 1881, those gentlemen receive £3,000 a year. The Commissioners under the Land Purchase Act receive £2,000 a year, without pensions. What I would venture to suggest, not only in the interests of the gentlemen who are now administering the Acts, but also in the interests of the taxpayer in the future, is that the salaries as now paid should be equalised between the four Land Commissioners, so as to place them on an equal footing, and that when any

resignation or death occurs among those who are now in office the salaries should be reduced. In order to show that this question was thoroughly gone into, and that propositions were brought forward which I think might be successfully brought to an issue by suggestions from this House, I would read to your Lordships a few observations that were made by the Chancellor of the Exchequer in the other House—

"The right hon. Gentleman suggested as a measure of conciliation that the matter should be postponed until next year, when the Chief Secretary will introduce the Land Department Bill."

The Land Department Bill, as we all know, is dead; therefore I would venture to suggest that the moment is ripe when this question of "conciliation," as the Chancellor of the Exchequer said, might be dealt with. But then, again, the Attorney General for Ireland was asked by Mr. Dixon in the other House whether the Government had taken any steps to provide for a revision of the salaries of the Land Commissioners—

"The Attorney General for Ireland said that his right hon. Friend recognised the principle that equality of duties involved equality of remuneration. It was his intention next Session to introduce a measure embodying that principle."

After such a statement from the Representatives of the Government in the other House, I do not think I am asking your Lordships too much if you will let me suggest that, having ventilated this question, it might be dealt with in some manner or other during this present Session. It would undoubtedly prevent a great deal of friction and a great deal of unpleasantness that may otherwise result, and I would most respectfully urge Her Majesty's Government that they should take up this question and deal with it. We have no fault to find with those who have worked the Land Purchase Bills during the last four or five years; we have no fault to find with those who have worked the Fair Rent question during the last eight or nine years. We simply ask that all shall be placed on an equality—that all shall deserve well of the country for having worked well for the country. It is not, perhaps, now my duty to go into the question of the future, but I may suggest this: that it would be very advisable if some arrangement could be come to now as to the position and the duties and the salaries of the present tenants of office under the Land Commission, because that would undoubtedly facilitate future arrangements, and the taxpayer would be advantaged, in that he would obtain the services of gentlemen best qualified to act under these Acts. As a last point, I would venture to draw attention to this: that unless some arrangement is come to, and if Mr. Wrench and Mr. Fitzgerald, who are now the Fair Rent Commissioners, were to resign or die, there is no provision as to whether or not their successors should be appointed at the same salary of £3,000 a year—in my opinion too high a salary.

Amendment moved, in page 17, line 12, to leave out from ("Fund") to the end of the sub-section and insert—

"(*a.*) Each of the existing land commissioners other than the judicial land commissioners shall be entitled either to a salary of two thousand five hundred pounds and the like pension or superannuation allowance as if his service as land commissioner under any previous Act and under this Act were service in the permanent civil service of the State within the meaning of section seventeen of the Superannuation Act, 1859, or to a salary of three thousand pounds without any pension or superannuation allowance.

(*b.*) Subject to the provisions of this Act with respect to the existing land commissioners, each of the land commissioners other than a judicial land commissioner shall be appointed by Her Majesty, and shall hold his office by the same tenure as if he were a county court judge, and shall receive such annual salary, not exceeding two thousand pounds, as the Treasury may assign.

(*c.*) Service as a land commissioner other than a judicial land commissioner shall, in the case of a commissioner appointed after the commencement of this Act, be deemed to be service in the permanent civil service of the State within the meaning of section seventeen of the Superannuation Act, 1859."—(*The Lord Castletown.*)

*EARL CADOGAN: The noble Lord wishes to ventilate this matter, and I was extremely anxious not to interrupt him in any way, but I may be allowed to remark that there is some limitation to the clauses which it is within the power of this House to discuss. There are, as the noble Lord well knows, certain privileged clauses, as they are termed, relating to questions of salaries and so forth. With matters of salaries, superannuation pensions, and so on this House is not competent to deal. I, therefore, trust that the noble Lord will not persevere in his Amendment.

LORD CASTLETOWN: I had no intention of pressing the Amendment at all. I simply wanted to ventilate the question, and I am very glad to have been able to do so.

Amendment (by leave of the Committee) withdrawn.

Amendment moved, in page 17, line 32, to leave out from ("commissioners") to ("as") in line 33.—(*The Lord Privy Seal.*)

THE MARQUESS OF WATERFORD: I object to this Amendment, and I think that if the noble Earl knew what he was doing by it he would not insist on it. Its object is to leave out the Inspectors and Valuers, who have been working under the Purchase Acts, and working admirably during the last six years. These men were in another place included, and now they are to be excluded here. Why should my noble Friend cast a slur upon a most respectable and honourable body of public servants? This clause does not provide that the Inspectors must be appointed; it is left optional with the Lord Lieutenant and the Land Commission and the Treasury. By this Amendment they will be cut out altogether.

*EARL CADOGAN: Really this is a Treasury objection. These gentleman were appointed merely for a temporary purpose. Under the clause as it stands they would become permanent civil servants of the Crown, and therefore subject to pension——

THE MARQUESS OF WATERFORD: Provided they are appointed.

*EARL CADOGAN: Exactly. If appointed they will become permanent Civil servants and entitled to pension. That is thought to be undesirable and we accordingly desire to amend the clause.

THE EARL OF KIMBERLEY: I am a little puzzled by the explanation of the noble Earl. He says that these are temporary officers; but the words of the clause are—

"Such of the persons employed by the Land Commission, including assistant commissioners and inspectors appointed under the Purchase of Land (Ireland) Act, 1885, as the Lord Lieutenant, the Land Commission, and the Treasury determine to be necessary and best qualified for the permanent organisation of the staff of the Land Commission."

I do not understand how they are to be treated as temporary officers.

*THE MARQUESS OF LONDONDERRY: May I ask how they would become permanent officials, as the noble Lord stated?

*EARL CADOGAN: They would be Civil servants of the Crown. Up to the present they have merely been employed occasionally; but the clause would make them permanent officials entitled to pension.

*THE MARQUESS OF LONDONDERRY: Would they become Inspectors under this Act?

*EARL CADOGAN: Not unless appointed.

LORD MONTEAGLE OF BRANDON: There is no intention of putting them out of the Public Service in so far as they are in it now.

THE MARQUESS OF WATERFORD: This is really a very important point. My noble Friend says this clause would make these Inspectors permanent Civil servants. It would only make them permanent Civil servants if the Lord Commissioner the Lord Lieutenant and the Treasury selected them. I think it extremely wrong to cut out this deserving body of men from their chance of serving. Whom does my noble Friend want to put in their places? I suppose he would wish to put in certain of the Sub-Commissioners under the Land Act. Well, that would render these gentlemen permanent Civil servants, but what right have they to such a position any more than these Inspectors? Many of these men were Land Commissioners before. Some of them left the Land Commission only to go to work that they liked better, namely, in valuing under the Purchase Act. The Land Commission had to disemploy a certain number, but they were not disemployed for misconduct, but simply because the Land Commission requires more men at certain times than it does at others. Why should my noble Friend object to making these men permanent Civil servants any more than he objects to make Sub-Commissioners? Here is a body of men who have done their work admirably, nobody finds fault with their work, yet they are to be excluded from the possibility of the Lord Lieutenant, and the Land Commission, and the Treasury selecting them. The Land Commission are not bound to select them; if they are bad men, let them be put on one side, but if they are good men, and well qualified to become

members of the permanently organised staff, why should they be cut out?

LORD HERSCHELL: I, of course, entertain great respect for this proposed Amendment, inasmuch as it is inspired by the Treasury—it is at any rate a Treasury Amendment. My difficulty is in understanding it from a Treasury point of view. There must be, no doubt, an explanation of it. But, as under this provision the Treasury is one of the parties to determine that these persons are necessary, and the best qualified to be appointed to the permanent organisation of the office, and none of these persons can be appointed unless the Treasury think them necessary and the best qualified, why the Treasury should have any objection to a provision which never can come into effect unless they think somebody to be a necessary person for a post, and the best qualified for it, I am rather at a loss to understand.

*THE LORD CHANCELLOR OF IRELAND: Suppose the words from "including" to "1885" in the second and third lines of Sub-section 7 were omitted, your Lordships will see that would be the normal scope of the clause. Then it would read—

"Such of the persons employed by the Land Commission as the Lord Lieutenant, the Land Commission, and the Treasury determine to be necessary, and best qualified for the permanent organisation of the staff."

and so on. That would be its normal operation. The reason that it is proposed to be altered is one which will be readily understood by the noble Earl opposite, who was Lord Lieutenant of Ireland. The Land Commission, although employing the Assistant Commissioners, do not appoint them; they are appointed by the Lord Lieutenant. Therefore, there was a question as to whether the Assistant Commissioners who were so employed would come within the definition; and to meet that it was thought wise to say, "including assistant commissioners," to avoid all possibility of doubt. Then I think an hon. Member in the other House suggested to add other gentlemen, as to whom they were there was no vestige of doubt as to the fact that they were employed under and by the Land Commission. It would be inexpedient not only from the Treasury, but from another, point of view to go on adding names without any necessity, when there are a great number of other classes who are equally entitled to be named as the Inspectors. It is not suggested or intended to give an exhaustive list of those whom it may be necessary and desirable to be employed by the Lord Lieutenant and those whom he consults; and the only reason for naming Assistant Commissioners here was to prevent the possibility of a vestige of doubt under the circumstances. It is obviously not desirable to pick out one class like the Inspectors and place them on some special pinnacle apart from others; that would lead to exaggerated hopes in their minds and great depression in the minds of others who are left out.

LORD HERSCHELL: If that is the object, it could have been made perfectly apparent by a little difference in the drafting. If these persons are not employed by the Land Commission, it seems to me very inappropriate to say—

"Such of the persons employed by the Land Commission including assistant commissioners"—

who are not employed. One would think it would have been all straight and intelligible if it read—

"Assistant commissioners and inspectors, and such of the persons employed by the Land Commission,"

and so forth.

THE MARQUESS OF SALISBURY: As an irenicon in this somewhat heated Debate, may I suggest to your Lordships that this is a purely financial clause, and that we cannot deal with it at all?

*EARL CADOGAN: After what my noble Friend has said, I ask leave to withdraw my Amendment.

Amendment (by leave of the Committee) withdrawn.

*THE MARQUESS OF LONDONDERRY: The Amendment standing in my name is one that will be appreciated by those noble Lords who, like myself, have occupied the post of Representative of Her Majesty in Ireland, and who are, therefore, fully cognisant of the difficulties that occur with regard to the patronage belonging to that office. I am sure they will endorse my remarks when I say that it places the Commissioners in an extremely unfair position to ask them to perform the somewhat invidious task of making selections from

men with whom they have been associated, and with whom they are working.

Amendment moved, in page 17, line 34, to leave out ("the Land Commission.") —(The Earl Vane [*M. Londonderry*].)

*Earl SPENCER: I am not sure whether the remark of the noble Marquess the Prime Minister applies to this Amendment as well as the other, though it is in the same clause. I do not agree with the noble Marquess who has just spoken, for I think it would be exceedingly unjust to the Land Commission if they were not allowed to be consulted with regard to the organisation of the staff of which they know all the members. The Land Commissioners are probably the only people, or very nearly the only people, who are cognisant of all the merits of the individuals, and I believe in all matters of organisation it is usual for the heads of the Court to be consulted as to the members who work under them. I therefore sincerely trust the noble Marquess will not press this Amendment.

*Earl CADOGAN: The noble Earl has said that it would be very unjust to the Land Commission that they should not be consulted. At the same time, I think it would be equally unjust to impose upon them what would evidently be very invidious duties. That is the view that was taken by all those who had the best opportunity of expressing an opinion. I shall advise the House to accept the Amendment.

*The Earl of KIMBERLEY: I would like to have heard whether this was the view of the Land Commissioners themselves. I never before heard of a Department objecting to have cast upon them the duty of selecting the staff they shall employ. If the Land Commissioners themselves think this would be an invidious task, which they would rather not have to perform, that might be some reason for the Amendment; but unless we are told that that is so I agree with the noble Earl (Spencer) that it would be a most extraordinary thing to pass them over; it would be contrary, I should say, to all established practice, and most unfair.

*Viscount De VESCI: I hope the noble Marquess will not press this Amendment. It would be an invidious thing that the Land Commissioners should be deprived of a voice in the selection of the staff.

*Lord MORRIS: I think the clause as it stands would be unworkable. Suppose the Land Commission and the Treasury differ, what is to happen? I do not know that other Public Boards—the Local Government Board, for instance—are entitled to decide upon the selection of their officers; that is done by the Chief Secretary and the Lord Lieutenant, who, of course, are governed very much by the representations of the Department responsible for the business. It would be very hard, I think, on a representation being made to the Lord Lieutenant by a Department, that they wanted particular officers appointed, if the Lord Lieutenant were not to give full weight to that representation. But it is quite another thing that the Land Commission should be placed on an equal footing with the Lord Lieutenant. I hope the noble Marquess will persevere with his Amendment.

Lord HERSCHELL: If I am rightly informed, this provision was in the Bill as introduced by the Government and read a second time last year. It did not appear in the Bill as introduced this year, but it was proposed on the Report stage of the present Bill, and accepted by the Government. I trust that the Government will not take a different course in this House from that which they took in the other House, and accept an Amendment to strike out that which in the other House they accepted an Amendment to put in.

*The LORD CHANCELLOR of IRELAND: Whatever took place between the other House, I take it that the matter is now before your Lordships to be considered on its merits, and your Lordships will decide what in your view is the best way of making this a workable clause. My noble Friend (Lord Morris) has given very powerful reasons why the Amendment should be adopted. As my noble Friend said, if there is a difference of opinion between the Land Commission and the Lord Lieutenant and the Treasury, is there to be a deadlock, or what is to happen? Surely the Lord Lieutenant, with those who advise him, is quite competent to receive any representations from the Land Commission, and then to act upon his own responsibility. I feel sure that it would

be the feeling of the Land Commissioners themselves that they should be spared the very invidious task of making selections from men who have been their colleagues and working under them.

*THE EARL OF KIMBERLEY: I observe that the noble and learned Lord did not say that he knew, but only that he assumed, that the Land Commissioners wished to be relieved from what he calls this invidious task. If I am not incorrectly informed, just the opposite is the fact, and that they do not wish to be relieved from the task. However, I do not want to repeat what I said before, but I would point out this: that it really places this House in a very awkward position indeed, and it seems to me very inconsistent with the usual course of Public Business, and on general grounds extremely inconvenient, that the Government should in one House accept an Amendment and then in the other House turn round and re-consider the question and strike out the words that they had previously agreed to. I can quite understand, and everybody admits, that it is necessary sometimes for a Government, after they have yielded to pressure and accepted an Amendment in one House, to re-consider their determination when the measure comes up to this House. But the noble Lord opposite puts it on a totally different ground. He actually says that the clause is now to be considered by the Government absolutely on its merits—the Government having already considered the clause on its merits in the other House and assented to its introduction into the Bill.

THE MARQUESS OF SALISBURY: I must repudiate most energetically the doctrine laid down by the noble Earl. It is a doctrine which would have the effect of effacing this House altogether. The view of the noble Earl is that if the Government accept from others an Amendment in the other House, the effect of it is not only to bind those who sit on the Benches opposite to maintain the Amendment, but to bind us who sit here to use in its support all the influence which we may possess in this House. I utterly repudiate that doctrine. There is no precedent for it at all, and I think it is distinctly opposed to the independence of this House. Anything, of course, that the Cabinet resolve upon and announce in one House, the Cabinet are bound to maintain in the other House; but what is done in the course of debate—under pressure, as the noble Earl said——

*THE EARL OF KIMBERLEY: I did not say under pressure.

THE MARQUESS OF SALISBURY: The noble Earl certainly mentioned something about acting under pressure.

*THE EARL OF KIMBERLEY: I said it might be necessary under pressure to take another view in this House.

THE MARQUESS OF SALISBURY: Pressure is not unknown in the other House of Parliament. It may be necessary in the other House to take a certain view under pressure; or a course may be agreed to upon statements made in debate, and subsequent information may necessitate a re-consideration of that course. I think it would be exceedingly inconvenient if that kind of rigidity was applied to all the decisions which may be come to in the course of debate, and if it were held that the Government, having accepted an alteration of this kind, trivial in its character, in one House, it should to be absolutely precluded from taking, in the other House, such a different view as further reflection may seem to render advisable.

LORD HERSCHELL: However much one may admit the force of what the noble Marquess has said, surely if an Amendment is accepted—not under pressure, but without demur—in one House some weighty reasons ought to be given why in the other House the Government departs from the position it has taken up. No doubt, if it be shown that some event has occurred which upon the mind of the Government overweigh the impression produced at the moment by statements in the one House, I do not in the least dispute that that would be reason for their altering their course in the other House. But in the present case nothing of the kind was stated. The noble Earl in assenting to the Amendment certainly did not profess to give any such grounds for the different conclusion at which the Government had arrived. Now, my Lords, is there really any strong ground for this alteration? I venture to suggest, in the first place, that it is contrary to the ordinary practice not to give the heads

of Departments some voice with regard to the subordinates who are to work the Department with them, and that no Department can possibly work well if the subordinates are appointed without any consultation with the chiefs with whom they will have to work. But then it is said that there may be some difference among these co-ordinate authorities, and that that would lead to a deadlock. How many appointments have now to be made by heads of Departments in consultation with the Treasury? You may just as well have a deadlock with two as with three authorities. But the truth is, you do not have any deadlock; people are too sensible, and these arrangements generally work well enough.

*EARL CADOGAN: I have a proposal to lay before your Lordships, which may perhaps to some extent soothe the feelings of noble Lords opposite. I ventured to state in reply, I think, to a question, that I had some reason to think that the Commissioners themselves took the view which is embodied in this Amendment. The noble Earl (Kimberley) has informed us that he has strong reasons for thinking that the reverse is the case. What we propose is, that we should postpone the consideration of this Amendment till the Report stage, to enable us to obtain the opinions and the wishes of the Land Commissioners upon the point.

THE EARL OF KIMBERLEY: That course is entirely satisfactory to us.

Amendment (by leave of the Committee) withdrawn.

THE DUKE OF ABERCORN: The object of the Amendment I now beg to move is to disenable any person who may be employed as an Assistant Commissioner after the passing of the Act from being at the same time employed as an Inspector or Valuer. It is possible —I do not say it is probable—that an Assistant Commissioner might be sent down to some part of the country as valuer to value the land in that district, and that eventually he might be appointed to the same district to act as Assistant Commissioner or Judge; in other words, he would be taking the part of Judge and jury at the same time. I think that would not be for the public good, and I therefore trust that the Government will assent to the Amendment.

Amendment moved, in page 28, line 6, after ("fund"), to insert—

"Provided, however, that any person who shall be employed or appointed after the passing of this Act as an assistant commissioner or valuer under the provisions of the Land Law (Ireland) Act, 1881, shall ipso facto be disqualified from being thereafter appointed or employed as an inspector or valuer under the Land Purchase Acts; and that any person appointed or employed after the passing of this Act as an inspector or valuer under the Land Purchase Acts, shall in like manner be thereby disqualified from being appointed or employed as an assistant commissioner or valuer under the provisions of the Land Law (Ireland) Act, 1881."—(The Marquess of Abercorn [*Duke of Abercorn*].)

*EARL CADOGAN: The Government cannot accept the Amendment. It is, in fact, diametrically opposed to the policy involved in the Bill. Under these clauses, as my noble Friend is aware, an amalgamation is effected between the two sets of Commissioners—the Commissioners of 1881 and those of 1885. This Amendment would have the effect of still more separating the two classes than they were before. It would be a direct negative to our clause, and therefore we cannot accept it.

Amendment (by leave of the Committee) withdrawn.

Clause agreed to.

Clause 24.

LORD CASTLETOWN: I need not delay your Lordships long in explaining the object of my next Amendment. In the sale of an estate and the distribution of the proceeds the exercise of a double jurisdiction would inevitably result in very serious mistakes and possibly great loss to owners and others. The Commissioner under whose jurisdiction the sale of an estate passes should be the person who should deal with each step as it comes forward. There are 13 or 14 different steps in passing an estate through, and it is obviously essential that the Commissioner in whose Chambers that estate is should deal with the whole of those steps. I have myself gone through the whole of the business—I may say that I am almost an expert now in land purchase—and I am absolutely convinced that this Amendment ought to become part of the Bill.

Amendment moved, in page 18, line 29, after ("advances") to insert ("and all duties and functions consequent thereon.")—(*The Lord Castletown.*)

*EARL CADOGAN: I am afraid this is too wide a clause. I think it would have the effect of excluding the 1881 Commissioners from all participation in any of these decisions. They could not even take part in making Rules. The exclusion is undoubtedly too wide.

LORD CASTLETOWN: They might take part in the land purchase business as soon as they have done with their fair-rent appeals. Let them get that work completed, and then they can go into the other business.

*EARL CADOGAN: How about making Rules?

LORD CASTLETOWN: My words are "duties and functions."

*EARL CADOGAN: I am advised that the making of Rules would be included under those words.

LORD CASTLETOWN: I do not think they would.

LORD HERSCHELL: I would suggest that the object might be carried out by putting in the words "the duty of sanctioning advances, and the duties and functions consequent thereon."

*THE LORD CHANCELLOR OF IRELAND: It would not, I think, be desirable to limit it in that way. It might lead to a good deal of inconvenience. Now that this large scheme of land purchase embodied in the Bill is so soon to become law, and when the Commission is made permanent, it might work out inconveniently to exclude any portion of the Commission from taking part in any of the work that might be ready to be discharged by them. As matter of debate and compromise in the other House it was put in here that the duty of sanctioning advances to purchasers should be discharged exclusively by the 1885 Commissioners until the fair-rent appeals to a given date had been disposed of; but I do not think it is at all desirable to exclude any members of the Land Commission from any portion of the work. It might lead to an administrative deadlock. If there was time on the hands of the other Commissioners to take their part in doing certain work, surely it would not be to the public convenience to preclude them from doing it. This clause was accepted as satisfactory in the House of Commons, and I think it is undesirable to alter it.

LORD CASTLETOWN: I cannot agree with the noble and learned Lord. He has not gone through the land purchase mill as I have, and I do not think he knows the very great difficulties that may arise unless some such arrangement as I suggest (I do not pin myself to the particular words) is carried through.

Amendment negatived.

*THE MARQUESS OF LONDONDERRY: I have an Amendment to propose which will provide that the 1885 Commissioners shall be brought in as at a certain date, whereas, as the clause stands at present, they would come in as originally appointed in 1881.

Amendment moved, in page 18, line 37, to leave out ("been named in") and insert ("then been appointed under.")—(The Earl Vane [*Marquess of Londonderry*].)

Amendment agreed to.

LORD CASTLETOWN: The next Amendment standing in my name deals with the question of rules. I shall very likely be told that it is unnecessary, but I believe it is absolutely necessary. I need not detain your Lordships with any further explanation of it.

Amendment moved,

In page 19, after line 3, to insert as a new sub-section—("The general rules and orders which shall be in force at the commencement of this Act in relation to the acquisition of land by tenants shall, until expressly varied by rules to be made as hereinafter provided, remain and be in force in all proceedings under the Land Purchase Acts, as amended by this Act, in the same manner in all respects as if they had been rules made under this Act.")—(*The Lord Castletown.*)

*EARL CADOGAN: I cannot lay claim to any legal or drafting knowledge, but I should have thought that under all circumstances rules would remain in force until they were expressly varied. The noble Lord did not explain his Amendment, and I confess that I do not understand it.

LORD CASTLETOWN: The object is to keep up the continuance and sequence in the working of the Act. Certain arrangements have been made under the 1885 and the 1887 Acts which will keep

the whole machinery going. My suggestion is that those arrangements should not be altered. You are now constituting a new Commission; they will undoubtedly alter the Rules, and will make a deadlock at the very beginning of the work. My object is to make your Bill workable by providing that the Rules at present in existence shall go on moving the wheels until you are ready to provide other machinery. This is a very simple and a very logical Amendment.

*EARL CADOGAN: Then, as I understand it, the whole Amendment turns on the word "expressly," because undoubtedly the Rules will remain in force until they are varied.

LORD CASTLETOWN: I think you will find that very likely the Rules will be varied very soon after the Commissioners are appointed. My object is that they shall remain in force until they are found to be wrong.

*EARL CADOGAN: Surely they would remain in force.

LORD CASTLETOWN: Then there can be no objection to the Amendment.

*EARL CADOGAN: Except that it is unnecessary.

THE MARQUESS OF WATERFORD: There is some feeling in Ireland with regard to these Rules. The purchasing public have some idea that the Rules in force under the Ashbourne Act will be under this Act more or less dropped. The object of the Amendment is merely to retain the Rules at present in operation until such time as they are replaced by other Rules. If my noble Friend will accept the Amendment, it can at any rate do no harm. If in the middle of sanctioning purchases the Rules happened to be changed, it would be a serious matter for the parties concerned. I think most distinctly that the Rules should remain in force until there is some reason for changing them.

*EARL CADOGAN: I still think the Amendment is unnecessary, but, as the noble Lord seems to set great store by it, I am willing to accept it.

Amendment agreed to.

Clause, as amended, agreed to.

LORD CASTLETOWN: I think the Government might very safely accept the short Amendment which I now move. Its object is to ensure that the powers which are conferred under the Land Law (Ireland) Act, 1881, shall not be delegated to Sub-Commissioners under the present Bill.

Amendment moved, after Clause 24, to insert as a new Clause—

("The powers conferred on the land commissioners under the forty-third and forty-fourth sections of the Land Law (Ireland) Act, 1881, shall not apply to the discharge of duties arising under the Land Purchase Acts.")—(*The Lord Castletown.*)

THE MARQUESS OF WATERFORD: My noble Friend will remember that in the Act of 1881 there were sale and purchase clauses, and that the Commissioners have power to delegate their functions to the Sub-Commissioners. Having had some experience of the Sub-Commissioners—a somewhat rather unpleasant experience at times—we are anxious that, at any rate, the Chief Commissioners should not delegate their functions under this Bill to the Sub-Commissioners. I do not think my noble Friend would be anxious that they should do so. They have the power of doing it under the Act of 1881.

*EARL CADOGAN: We will accept the Amendment.

Amendment agreed to.

Clauses 25, 26, and 27 agreed to.

Clause 28.

*LORD MORRIS: I have an Amendment to propose in regard to the constitution of the Congested Districts Board. Under the Bill the Board is to consist of the Chief Secretary and of a member of the Land Commission nominated by the Lord Lieutenant, to especially represent agriculture and forestry, and of five unofficial members. I propose to make the Chief Secretary and the Land Commissioner *ex officio* members of the Board. This will also necessitate the omission of the word "unofficial."

Amendments moved, in page 20, line 26, after ("forestry") insert ("and who shall be ex officio members of the board"), and leave out ("unofficial") and insert ("other"); line 31, leave out ("unofficial"), and after ("members") insert ("other than the ex officio members").—(*The Lord Morris.*)—Agreed to.

LORD MONTEAGLE OF BRANDON: I have a series of Amendments, intended to alter the balance of the members com-

posing this Board. As the Bill comes up to us, it provides that, in addition to the two *ex officio* members and the five permanent members, there shall be two or more persons, not exceeding five, appointed as temporary members. That seems to me to be an undue proportion, and I propose to make the number of temporary members three instead of five.

Amendments moved :—(1) in page 20, line 31, to leave out ("two") and insert ("one"); (2) in line 32, to leave out ("five") and insert ("three"); (3) in line 39, to leave out ("any") and insert ("such") and leave out ("of the Board.") — (*The Lord Monteagle of Brandon.*)

*EARL CADOGAN: We cannot agree to the third Amendment. The substitution of the word "such" for "any" would appear to give the control entirely to the permanent members.

LORD MONTEAGLE OF BRANDON: The object is to prevent the temporary members forming a quorum by themselves. The words may not carry out the notion properly, but some provision of the kind is certainly necessary.

*EARL CADOGAN: I will consider it before Report.

First two Amendments agreed to; third Amendment (by leave of the Committee) withdrawn.

Clause, as amended, agreed to.

Clause 29 amended (verbally), and agreed to.

Clause 30.

*LORD HARLECH: I have a small Amendment to move, which I hope the noble Earl will accept. In line 38, of page 21, there is the expression "number of the population." How is the number of the population to be ascertained? In order to make it clear, I beg to move the insertion of the words "according to the last preceding census."

Amendment moved, in page 21, line 38, after the word ("population,") to insert the words ("according to the last preceding census.")—(*The Lord Harlech.*)

*EARL CADOGAN: We have no objection to that.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 31.

LORD MONTEAGLE OF BRANDON: The object of my Amendment to this clause is to give an alternative power to the Land Commission, in cases where it is sought to amalgamate holdings and the neighbouring occupiers are not willing at the moment to facilitate the operation, to go in, as the landlord himself would do in similar cases, and take possession of it themselves.

Amendment moved, in page 22, line 39, after ("holding") to insert ("or to the Land Commission.")—(*The Lord Monteagle of Brandon.*)

*EARL CADOGAN: We agree to that.

*THE EARL OF KIMBERLEY: I think we should like to hear some explanation of these Amendments. A good many of them are agreed to without any explanation at all. We do not understand what the effect of this Amendment will be. I only gathered that the Land Commission was to become the landlord of certain holdings. I should be glad to know why the Amendment is to be adopted.

*EARL CADOGAN: The noble Lord himself gave reasons for his Amendment.

*THE EARL OF KIMBERLEY: What we really wanted to know was, why Her Majesty's Government agreed to it?

THE MARQUESS OF SALISBURY: For the reasons given by the noble Lord.

Amendment agreed to.

*LORD HARLECH: The Amendment I rise to move proposes to make advances for the purpose of purchasing tenant's interests in small holdings. According to the clause, it does not appear where the landlord's rent is to stand, whether it is to have priority over the annuity payable for the tenant's interest, or whether it is to rank after it. No landlord in the world would consent, that his rent should stand after the payment of the instalment on the tenant's interest. Therefore, the effect of the clause would be perfectly null and void. I want by these words to make it clear that the annuity is to be subject to the prior charge of the rent. In the clause the words are "other charges." Rent is not a charge; it is an incident of the holding, and, moreover, the rent of both holdings must be provided for unless it is the intention

only to purchase the landlord's interest; and if that is the intention it should be made clear.

Amendment moved, in page 23, line 9, after ("purchased") to insert ("and subject to any rent or incidents of either holding.")—(*The Lord Harlech.*)

*EARL CADOGAN: In agreeing to this Amendment, I do not know whether the noble Earl (Kimberley) would desire me to re-state what the noble Lord has said in support of his proposal. There is one point to which I would like to call attention. I am not sure what would be included under the word "incidents."

*LORD HARLECH: The incident is the rent.

EARL CADOGAN: No; the Amendment says "subject to any rent *or* incidents." I should prefer to accept the Amendment without those words "or incidents." It is rather vague generalising.

*LORD HARLECH: If the noble Earl will accept the former part of it, that might be discussed on Report.

EARL CADOGAN: Very good. Then the noble Lord will bring it up again.

Amendment amended by omitting the words "or incidents," and, as amended, agreed to.

*LORD HARLECH: I now have to move a new sub-section, which is intended to preserve to the landlord, when the Congested Districts Board propose to buy a tenant's interest in his holding, the same right of pre-emption as he would have had if the tenant had been selling to any other purchaser. According to the Act of 1881 he has a right of pre-emption, and it is to maintain that right that I propose this sub-section.

Amendment moved,

In page 23, after line 40, to add as a new Sub-clause—("Where any such transfer or purchase is made of a holding in respect of which rent is payable, such purchase or transfer shall be subject to the like right of pre-emption in favour of the landlord as he now has under the Land Law (Ireland) Act, 1881, Section 1.")—(*The Lord Harlech.*)

EARL CADOGAN: I shall be obliged if the noble Earl will defer this Amendment to the Report stage.

Amendment (by leave of the Committee) withdrawn.

Clause, as amended, agreed to.

Lord Harlech

Clauses 32 to 35 agreed to with Amendments.

Clause 36.

THE MARQUESS OF WATERFORD: I think the Government will see their way to accept the Amendment standing on the Paper in my name. The clause defines the expression "annual value" to mean the rent, after making certain deductions, one of which is "the average abatement allowed by the landlord." I propose to leave out those words. I am not prepared, for a moment, to say that the landlords of Ireland are not as honest as any other class in the world; but, at the same time, you will allow that there are among other classes people who do things that perhaps their class might be ashamed of. I am also quite prepared to say that the tenantry of Ireland do not as a class agree to such a proposal as this. I do not think Her Majesty's Government have considered what may be the effect of these words in the Definition Clause. Some of the deductions provided for are very reasonable and necessary, but the deduction of the average amount of abatement is open to great objection. I can imagine such a case as this arising—I am certain it will be only very seldom, but it might arise, and the temptation should not be placed in any man's way—the landlord would only have to say to his tenant, "I will allow you 30 per cent. abatement," or whatever amount your Lordships choose to suppose, "if you will give me a higher rent; then your annual value which you have got to pay to the Government will be much reduced." If I have explained myself to your Lordships you will see how very easy fraud would be. Under the Arrears Act it did come to my notice that there was collusion—there was very little of it, but there was collusion—between the landlord and tenant; probably some instances came under the notice of my noble Friend opposite (Earl Spencer) when he was Lord Lieutenant. I think these words are really unnecessary, and would be very injurious to the working of the Act. The tenants in Ireland want to know at once what their instalments are to be, and all these provisos as to deductions in different directions will be injurious to the tenants, because they will never know how they stand.

Amendment moved, in page 27, line 11, after "(" therefrom "), to leave out (" the average amount of abatement allowed by the landlord."—(The Lord Tyrone [*M. Waterford*].)

THE EARL OF CAMPERDOWN: I agree with the noble Marquess that the words which he proposes to omit would involve a very abstruse calculation by the Land Commissioners before it would be possible for the tenant to have any idea what was the annual value of his holding. My suggestion to the noble Marquess is that, as I have given notice that on Report I will bring up an Amendment to deal with the question, which will enable it to be discussed fully, he should on the present occasion allow these words to pass.

THE MARQUESS OF WATERFORD: I am very sorry to disagree with my noble Friend, because we are generally in agreement; but I really think these words are so important that they should be left out now. When my noble Friend brings forward his Amendment he will be able to refer to these words having been in the Bill, so that the full discussion of the matter will not be prejudiced. I confess that I would like to see them expunged at the present stage.

THE EARL OF CAMPERDOWN: But is it worth while to discuss the thing twice over?

*THE LORD CHANCELLOR OF IRELAND: I think some of the objections taken by my noble Friend to the retention of these words, and the reasons which he has given, seem to commend themselves to your Lordships, and the words may possibly be omitted without much risk. It must be borne in mind exactly what is the scheme of the Bill in reference to which this deviation is introduced. The landlords and tenants agree to a price, and later on comes in the process of assessing what is to be the amount of payment that the tenant is to make to work out the principle of the Tenants' Insurance Fund—where the price given is less than twenty times the annual value, the tenant being required to pay 80 per cent. It is for the purpose of that assessment that this definition is necessary, and there is some possible ground for the suggestion of my noble Friend that it might possibly leave open opportunities for collusion if the amount of abatement were made an element in that assessment.

LORD MORRIS: I would point out that there is one very grave objection to the alterations suggested by the noble Marquess. This interpretation, as the noble and learned Lord just said, is only for the purpose of the 7th clause. That clause deals with the Tenants' Insurance Fund, by which the tenant has to pay 80 per cent. of the annual value during the first five years. Now, there are cases in which very substantial temporary abatements have been made to the tenants, although the rents have never been altered. Many landlords have been only too glad to get what they could. Suppose a case where an abatement of 25 per cent. has been made: if the tenant has to pay 80 per cent. of the regular rent, he would be paying under the 7th clause a higher rent than he had been in the habit of paying for the last four or five years. Is that the mode in which this Bill is to be worked? I understood, and nobody pressed it more strongly than my noble Friend, that the tenant only looked for an immediate gain; but supposing this involves an immediate loss, what becomes of the scheme then?

THE MARQUESS OF WATERFORD: Then he will not buy.

*LORD MORRIS: Then the Bill will not work. I would ask my noble Friend to consider that view of it. It really did not occur to myself until a friend of mine, who is conversant with these matters, called my attention to it. If the tenant is to get some immediate gain it goes without saying that he will take advantage of the Act; but if he is to be at an immediate loss, surely he will not buy. All the Acts of Parliament that were ever passed since the beginning of time would not prevent attempts at fraud and bogus transactions. My noble Friend mentioned that he had known cases under the Arrears Act. I once tried a landlord for having joined, in collusion with the tenant, to misrepresent the arrears; but that was very exceptional; there were not many cases But, because there may be a possibility of fraud, are you to adopt such a definition of annual value as would admittedly prevent a large number of tenants from taking advantage of the Act? I would suggest to the noble Marquess that he

should re-consider this matter, and, if necessary, deal with it on Report.

*THE LORD CHANCELLOR OF IRELAND: I do not think that what my noble and learned Friend anticipates would probably occur, because, at the end of the clause, provision is made for cases where the judicial rent is not fixed.

*LORD MORRIS: The judicial rent, in many parts of the West of Ireland, has been a mere matter of book-keeping, and has had no practical effect whatever.

THE MARQUESS OF WATERFORD: Your Lordships were told in this House that a judicial rent was going to be paid. I am sorry to say that that is not the case, but we might anticipate that the judicial rent would at any rate be a reasonable rent. There has, no doubt, been a tremendous carving down of rents. Where a judicial rent has not been fixed, we may take it that the rent is fair. And remember, the tenant is getting, at any rate, 20 per cent. reduction for the first five years, and the landlord must be a very liberal man who will give him, on a judicial rent, 20 per cent. reduction. But if there is not a judicial rent fixed, this clause arranges that the purchaser can apply to the Land Commission to determine what the annual value is to be. It is not in the interest of the landlord that I am moving to omit these words; it is, I think, in the interests of the tenant, because, though great pressure may be brought upon him, and offers made to him of an immediate advantage during the five years, which after the five years he would be put to great inconvenience, he will only get his annual value fixed for five years; and if there is collusion between the landlord and tenant, the latter will, after all, pay a higher price at the end of the five years; he would come under what is called the "normal annuity."

*LORD MORRIS: The omission of these words will be practically another way of arriving at the judicial rent.

THE EARL OF CAMPERDOWN: The judicial rent is not the matter we are upon. The question before the House is to leave out the words "the average abatement allowed by the landlord." I am sure all your Lordships will be of opinion that the speeches we have heard show that the annual value is a very difficult thing to understand, and that certainly this particular element in the calculation is open to a great many objections. One objection is, as has been said by both the noble Lords opposite, that there is opportunity for collusion. I would like to repeat what I said before, that I hope the Amendment will be deferred, so that we may discuss the whole matter on Report.

EARL CADOGAN: I beg to join in the advice which the noble Earl opposite has given. I certainly myself was disposed to favour the Amendment of my noble Friend, and I still think that, on the whole, his argument will probably prevail; but I am bound to say that after the speech of the noble and learned Lord (Lord Morris) it is obviously necessary that this House should take further time to consider the matter. I trust the noble Lord will not object to withdraw his Amendment, and let it be discussed on the Report stage.

*THE EARL OF KIMBERLEY: I am very glad to hear the noble Earl say that this is a matter which requires further consideration. I really think the point raised by the noble and learned Lord opposite, which had occurred to myself, is a very serious one. Of course, if there is danger of collusion, that is not to be lightly set aside, I admit; but, on the other hand, it certainly has been the opinion of many competent persons (though I am not going to raise that argument now) that under Clause 7 the payment for five years will press hardly upon the tenant, and tend to impede sales. That seems to me to be a most cogent argument. It is impossible, I think, to deny that the noble and learned Lord made a very serious objection when he said that under the operation of this Amendment the annual rent—I do not mean the rent nominally due from the tenant, but the rent which he actually pays—would not be taken into account, but that his nominal rent would be reckoned for the five years, so that, instead of having to pay less, as you intended, he would have to pay more. If that be the operation, I am quite sure that noble Lords who wish well to the Bill—including the noble Marquess himself—would hesitate before they would introduce such an Amendment. I am certain that the noble Marquess, as well as any one else, desires that there should be nothing to impede the operation of the Bill, and that, as far as possible, we should ensure that both

landlords and tenants take advantage of it. I hope the matter will be carefully considered before the Amendment is again introduced.

THE MARQUESS OF SALISBURY: There is a natural unwillingness to give a Parliamentary sanction or a Parliamentary crystallisation to that which is very often the effect of personal bounty. There are no doubt inconvenience of that sort, and, on the other hand, a hard and rigid rule might produce very great inconvenience and hardship on the tenant. I confess I should look for the remedy rather in greater discretion in the Land Commission than in any rigid words.

Amendment (by leave of the Committee) withdrawn.

THE MARQUESS OF WATERFORD: I have another Amendment to this clause. The Land Commission, as your Lordships know, may determine the annual value of the interest in the holding where a judicial rent has not been fixed. I ask that that should be done after and not before the application has been sanctioned. The effect of doing it before will be this: that a tenant having bought and not having had his purchase sanctioned, the Land Commission might, and very likely would, fix his annual value at a very low price. The tenant would then, very fairly, say, "What is the advantage of my buying at all? I am getting a reduction without buying; I will wait a little longer; I will repudiate the sale, and wait until I can buy at a reduced rent." Therefore, I think it is fair to propose that this operation should not take place until after the purchase has been sanctioned. It is not a very lengthy period. The valuer has to go down and inspect the holding, and the moment he makes his report and the Commissioners are satisfied with the security, the case can be sanctioned. It will be a great disadvantage both to the landlord and to the working of this Act if continued repudiations of purchases take place.

Amendment moved, in page 27, line 16, after ("where") to insert ("an advance applied for has been sanctioned and.")—(The Lord Tyrone [*Marquess of Waterford*].)

EARL CADOGAN: I see no objection to the Amendment.

*THE EARL OF KIMBERLEY: I do not wish to raise any objection, but would there not be this dicffiulty: until the Commissioners have determined what the rent is to be, will it not be difficult for them to determine upon the advance? because the security which the holding may offer will, I suppose, depend to a certain extent upon the amount at which the annuity will be fixed. I merely ask the question, as it seems to me a little doubtful whether it might not cause a difficulty, although I appreciate the argument of the noble Marquess.

THE MARQUESS OF WATERFORD: The valuer will be sent down by the Commission before the application is sanctioned, and, therefore, they will be perfectly in a position to know what security the holding will provide, and they would only sanction the application if the security is sufficient.

*THE EARL OF KIMBERLEY: No doubt the valuer would report as to the holding, but, as I understand, what would then happen would be that after that sanction had been given there might be a fixing of the rent under this clause. Would not that fixing of the rent be a serious element in the nature of the security to be offered, and might it not, therefore, be difficult for the Commissioners first to sanction the advance and then to fix the rent subsequently? These are very difficult matters to understand, and it is quite possible that I may be raising an unnecessary objection. I only point it out in order that if there is anything in it, it may be considered.

EARL CADOGAN: We will answer it before the Report stage.

*LORD MORRIS: I do not see any objection arising from the Amendment. The Land Commission will send down valuers, who will say what the value is. It is a matter of indifference to them, to a certain extent, what the rent is. As suggested by the noble Marquess, if you allow the Commissioners to send down and decide what the annual value in the sense of rent is beforehand, and the transaction does not go on, the landlord can never expect afterwards to get a farthing more than that again—if he is lucky enough to get that.

LORD HERSCHELL: I should have thought that when the land was valued for a purpose of this kind the valuation

would proceed on the consideration of what rent it was likely to fetch.

*LORD MORRIS: In dealing with Irish land, the ordinary economic laws, and the consideration what the land ought properly to fetch, has been relegated to the planet Saturn.

LORD HERSCHELL: The whole basis of the purchase money here is so many years on the rent.

THE MARQUESS OF WATERFORD: I think the noble and learned Lord is quite right as to that. The purchase money is defined. It is certainly to be "ascertained"; but the valuer who is sentd own has to find a double thing, as I endeavoured to explain to your Lordships earlier in the evening. There are two securities—the interest of the tenant and the interest of the landlord—and the valuer has to see whether they will provide security for the advance—not for the future instalments actually, but for the advance. Then I take it that under this clause as it stands at present you will have a tremendous number of repudiations, which is exactly what you want to avoid. I must say I think the Amendment is open to the small objection that has been mentioned, but that can be adjusted hereafter.

THE MARQUESS OF SALISBURY: I think it would be the simplest plan to insert the Amendment here, and if there is anything to alter we can adjust it on the Report stage.

*THE EARL OF KIMBERLEY: The noble Lord will see that we have not inserted, *per incuriam*, something which ought not to go in.

THE MARQUESS OF SALISBURY: We will consider it very carefully.

Amendment agreed to.

*VISCOUNT DE VESCI: I regret very much that I should detain your Lordships any further at this hour of the night, but I wish to take this opportunity of making an appeal on behalf of a class of owners in Ireland who will, I am afraid, suffer under this Act very great and undeserved hardship. As my noble Friend knows, there are a certain number of owners whose affairs are so far embarrassed that not only their rents go through the hands of a Receiver, but they have to pay rent for the land in their own occupation either to the Court of Chancery or to the Land Judge. It would be probable under this Act, where the Land Judge has hitherto refused to allow a sale on the chance that better terms will be obtained, that the mortgagees who have up to the present time held back from pressing their claims, will say to the landlord, "The last word has been said," and will insist on realising the security. It is quite possible that the rented lands held under the Receiver, even if sold to the tenants, may not realise sufficient to pay the charges. It will be, then, the duty of the Judge to put up the land to the nominal owner. The object of the Amendment I now beg to move is to enable the owner —as he is in effect a tenant under the Court of Chancery — to be brought under the operation of the Act as if he were an ordinary tenant. As a matter of fact, the charges on the estates of this class of owners are not those created by themselves. Some of the owners are gentlemen of great local influence, active country gentlemen, with knowledge of farming, and if they were practically turned out of their domains it would be a very great loss to the country and to the districts in which they reside. I am not very sanguine that the Government can accept the Amendment. Probably the terror of the Treasury will be over them, and it will be impossible to accede to what I ask, but with a view to entering a protest and appeal on behalf of these gentlemen, I beg to move my Amendment.

Amendment moved,

In page 28, after line 9, to insert the words ("The expression 'tenant' shall include any person holding under an occupation rent fixed, a contract of tenancy made or lease granted by the Court of Chancery or Land Judge pending any cause, sale or matter.")—(The Lord de Vesci [*Viscount de Vesci*].)

EARL CADOGAN: I am afraid I cannot accept the Amendment of the noble Lord. If I understand it aright, it proposes to extend the operation of the Bill to men who are not really tenants, but men who might be tenants under certain circumstances, although themselves nominally owners.

VISCOUNT DE VESCI: That is the object.

EARL CADOGAN: In that case it practically is a proposal to supply public funds to enable a man to buy his own

land. That is a proposal which we cannot accept.

Amendment (by leave of the Committee) withdrawn.

Clause agreed to.

Clause 37 agreed to.

Schedules agreed to.

Standing Committee negatived: Report of Amendments to be received on Friday the 10th instant; and Bill to be printed as amended. (No. 208.)

ALLOTMENTS RATING EXEMPTION BILL.—(No. 184.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF YARBOROUGH: My Lords, the object of this Bill is to place allotments on the same footing as regards assessment for sanitary rates as other cultivated land. At the time the Public Health Act, 1875, was passed there were comparatively few allotments in existence, and, therefore, the word "allotment" was not included. At the present time there are a very large number of allotments—something like 400,000—in England. It is extremely desirable that the assessment should be uniform for all cultivated land, and that allotments should be relieved from any liability to be assessed for sanitary purposes at a higher rate than other cultivated land. The Bill passed through the other House without opposition, and the Local Government Board take no objection to it.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

FISHERIES BILL [H.L.].—(No. 17.)

Amendment reported (according to order), and Bill to be read 3ª To-morrow.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 161.)

Amendments reported (according to order).

THE EARL OF CAMPERDOWN: There is an Amendment which is necessary to be made owing to the system of Local Government in Scotland, by which the county, for the purposes of road administration, is almost invariably divided into districts; and it is desirable that each of those districts should be dealt with directly, and be liable to receive and to make any payment from any burghs that may be concerned under this Bill.

Amendment moved,

In Clause 6, page 3, line 1, after the word ("situated") to insert ("or in the case of a county being divided into districts to the District Committee or Committees.")—(*The Earl of Camperdown.*)

THE EARL OF ELGIN: I have no objection.

Amendment agreed to.

Bill to be read 3ª on Monday next.

MAIL SHIPS BILL.—(No. 124.)

Amendments reported (according to order); further Amendments made; and Bill to be read 3ª To-morrow.

House adjourned at twenty minutes before Twelve o'clock, till To-morrow, Ten o'clock.

HOUSE OF COMMONS.

Thursday, 2nd July, 1891.

PRIVATE BUSINESS.

KEIGHLEY CORPORATION BILL—(*by Order.*)

Order read for resuming Adjourned Debate on Question [30th June],

"That, in the case of the Keighley Corporation Bill, Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration, provided amended prints shall have been previously deposited."—(*Mr. Caldwell.*)

Question again proposed.

(3,10.) MR. COURTNEY (Cornwall Bodmin): I wish to call attention to the fact that the Committee upstairs have gone outside their powers, and directly in face of a Standing Order of the House, by inserting in the Bill Clauses 54 and 55, which deal with dairies and laundries in connection with the spread of infectious disease. Perhaps my right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), who was the author of the Standing Order, will say whether

he is prepared to defend the course which has been taken.

*Mr. HASTINGS (Worcestershire, E.): This matter was most carefully considered by the Committee, and we were anxious to follow the Instruction from the House. After considerable discussion we came to the conclusion that it was a matter which the Committee were competent to deal with without infringing the Instruction.

Mr. H. H. FOWLER (Wolverhampton, E.): As my right hon. Friend the Chairman of Committees has appealed to me, I have no hesitation in replying to his challenge. The course which I took in regard to the Order was to require the House not to sanction any Bill containing a clause contravening the existing law; but I entirely differ from my right hon. Friend as to the character of these clauses. I am quite willing to take the view of the Committee. I think it is sufficient in this case for my right hon. Friend to have called attention to the existence of the Order, and to wait until the President of the Local Government Board shall have expressed an opinion upon the matter.

*The PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am afraid that I cannot express any opinion upon the subject. The matter being one of order is rather for the decision of Mr. Speaker. If you rule, Sir, that the question is one which is dealt with in the Infectious Disease (Prevention) Act, and cannot be dealt with by a clause in a Private Bill, there will, of course, be nothing further to be said. I, for one, should regret that by any too closely drawn words in the Standing Order these clauses should be struck out. They are such as I should be glad to see embodied in the general law. I am bound to admit that the Chairman of Committees did sound a note of warning when the Standing Order was under discussion, but I think that the principle of the Order is a sound one, and I am prepared to support it. I should very much regret to find that the Order has been so strictly drawn as to prevent these clauses from being inserted in the present Bill.

*(3.15.) Mr. F. S. POWELL (Wigan): I wish to corroborate the statement of the hon. Member for Worcestershire (Mr. Hastings) as to the great care which was taken in regard to this Bill by the Committee upstairs. They went through the Bill clause by clause, and arrived, after the most careful consideration, at the decision that there was no violation of the Instruction when they sanctioned these clauses.

Mr. COURTNEY: I have no right to make any further observation, but I wish to remind the House that the Bill deals with matters which were agreed to be dealt with by the Order passed last Session.

*Mr. SPEAKER: An appeal has been made to me as to the question of order. If it had been reported that the Bill contravenes the Order passed last year, it would be necessary for me to consider it; but there is no such Report before the House. I have had no opportunity yet of examining into this matter, nor was I aware that the question was going to be raised. If the House is satisfied to allow the clauses to remain it is entitled to do so, or the Debate may be adjourned.

*Mr. F. S. POWELL: The real question is whether anything has been done which contravenes the Standing Order or brings the Bill within it.

*Mr. SPEAKER: When any direct reference is made to me I shall be prepared to give my opinion, but as the question has not been formally raised it will, perhaps, be better to allow the Bill to go on.

Question put, and agreed to.

Bill considered.

(3.17.) Mr. M'LAREN (Cheshire, Crewe): I beg to move in page 26 the omission of Clause 55, which requires persons engaged in laundries to furnish lists of the names and addresses of the owners of the clothes washed or mangled whenever it is certified by the Medical Officer of Health to be desirable, with a view to prevent the spread of infectious disease. I may explain that a similar clause appeared in the Infectious Disease (Prevention) Bill last year, but after considerable discussion in Committee it was rejected by 166 to 35. By rejecting that clause the Committee conveyed an intimation that it was not prepared to allow any Local Authority to adopt that provision

at their own discretion, and without the sanction of Parliament, after strong reasons had been shown. The ground of the rejection was that the House considered it too important a subject to be left to the Local Authority. The clause in the Keighley Bill has, since that decision was arrived at, been considered by the Police and Sanitary Regulations Committee, but before the discussion was entered into the Chairman of the Committee, if he will allow me to say so, prejudged the whole case. He said it was quite true that this clause was struck out of the Bill of last year, but in his opinion it was most unwisely—or rather unfortunately—struck out. Three witnesses were called before the Committee, including the Medical Officer of Health, but no evidence whatever was given upon this clause, and when Clause 54 had been agreed to the Chairman without discussion simply put the question, "That Clause 55 stand part of the Bill." No evidence of any kind from Keighley was given in support of the necessity of the clause. When I originally gave notice of opposition, both to the dairy and laundry clauses, the Corporation of Keighley issued a circular to Members of the House in support of the Bill, but in that circular they do not say a single word about this clause. The whole of their defence of the Bill is directed to the dairy clause. The laundries of Keighley are only three in number, and it is true that Petitions have emanated from them in favour of the clause, but I doubt whether the signatories really knew anything about it. There is a public washhouse in Keighley, and if it should come within the operation of the clause very great inconvenience may be caused. I doubt very much whether the Corporation of Keighley attach any importance to the clause. Indeed, I know that some of them do not. The clause in itself is bad; it will cause great inconvenience and it ought only to be adopted after the strongest possible evidence of its necessity. I beg to move that the clause be omitted.

Amendment proposed, to leave out Clause 55.—(*Mr. Walter M'Laren.*)

Question proposed, "That Clause 55 stand part of the Bill."

*(3.25.) MR. LEES KNOWLES (Salford, W.): I altogether dispute the statement of the hon. Member that there has been no evidence from the locality in favour of the clause.

*MR. M'LAREN: I said as to its necessity.

*MR. LEES KNOWLES: I hold in my hand a telegram from the Town Clerk of Keighley which states that a Petition has been signed in favour of the laundry clause by all the proprietors of laundries within the borough. Therefore, there is overwhelming evidence from the locality in favour of the clause. There is nothing exceptional in the clause. I remember finding a similar clause in about 40 local Acts when the Infectious Disease (Prevention) Bill was before the House, and in 1889 and 1890 a similar clause was inserted in such local Acts, as among others, Bootle, Cheltenham, Grimsby, Newport(Mon.), Norwich, Scarborough, Sheffield, Stockton-on-Tees, Swansea, Tunbridge Wells, and Walsall. Allusion has been made to the rejection of a similar clause last year when the Infectious Disease (Prevention) Bill was before the House. I will explain how that occurred. I had charge of that Bill, and the House knows how difficult it is for a private Member to pass any measure to which there is any opposition. Finding that a few Members strongly opposed the laundry clause, I thought it wise to abandon it in order to save the rest of the Bill. I therefore agreed that it should be omitted, and having done so, I felt bound in honour to vote against it myself, and to induce other hon. Members to do the same. That accounts for the size of the majority that threw out the clause. This clause has been found, so far as I know, to work well; for years it has been inserted in local Bills by the Police and Sanitary Committee of this House, which Committee made a special reference to it in their Report of last Session; its provisions are contained in the model Bill and clauses issued by the authorities in another place; and I do not see why an exception should be made in this case.

*(3.30.) MR. HASTINGS: The hon. Member who has moved the Amendment is mistaken in supposing that there was no consideration of the clause in Committee. It was most carefully considered. I myself asked questions with

regard to it, and I ascertained that there was a strong feeling in Keighley in its favour, and no opposition to it whatever. We could not ascertain that there was a single person in the Borough of Keighley who objected to the clause. We had the evidence of the Mayor, who was surely entitled to speak for the inhabitants to that effect, and I do not know how the Police and Sanitary Committee are to discharge their duties if they are not to be guided by the opinion of the localities. The hon. Member says that the clause was not put to the Committee. He is mistaken. No clause is ever passed without being put to the Committee. I put this clause, and there was one dissentient voice, but the hon. Member for a Division of Yorkshire refused to take a Division. I myself have had terrible experience of scarlet fever owing to there being no supervision over laundries, and the inhabitants of Keighley could do nothing better than have this clause. I trust that the House will support the decision of the Police and Sanitary Committee, who work very hard during many months of the year.

*(3.35.) MR. F. S. POWELL: Having served on the Police and Sanitary Committee for some years, I think it is only right that I should defend the conduct of the Chairman of the Committee to which the Bill was sent, and say that there never was a Chairman less inclined to force his views on a Committee. The hon. Member for Crewe (Mr. M'Laren) says he does not think that the Corporation of Keighley care for this clause. I happen to know to the contrary, because I have this day received a communication from the Town Clerk which shows the great interest the inhabitants of Keighley take in the clause, and how they approve it. Nor is the House without precedents for the course now proposed to be taken. Since the rejection of a similar clause last year in the Infectious Disease (Prevention) Bill it has been inserted several times in Local Acts, and between 1889 and 1890 it was inserted no less than eleven times. Keighley is a town in which there is a strong feeling against compulsory vaccination, but the inhabitants are most anxious that their sanitary regulations shall be strengthened, and that they possess every other security for the public safety.

(3.42.) MR. KELLY (Camberwell, N.): I hope the House will carefully consider what, in this case, has been done by the Police and Sanitary Committee. The question was before the House last year, and by a majority of five to one they determined that it was a clause of a most dangerous character, and rejected it. The hon. Member for Wigan (Mr. F. S. Powell) talks about precedents. Now, the House inserted a clause of this kind in the Tottenham Local Act, but when the hon. Member for Tottenham (Mr. J. Howard) had his attention called to the effect of the clause, he at once ascertained that the people of Tottenham were not in favour of it, and it was rejected in another place. The question is whether the Police and Sanitary Committee or this House is to legislate. Surely a decision of the House, arrived at by a majority of five to one, ought to have some consideration paid to it. If you wish to protect the public you must protect them through the laundries. I have never been able to find a case, and I challenge hon. Members to produce one, where infection has been spread from a laundry. I think that people ought to be severely punished who send infected clothes to a laundry. All those who understand the question are agreed in asking the House not to pass the clause.

*(3.50.) MR. H. J. WILSON (York, W.R., Holmfirth): As a member of the Police and Sanitary Committee, I should like to say a few words in reference to what took place in the Committee. In justice to the Chairman, I must say that he did put the clause, and I said "No;" but when he asked if I wanted to take a Division, I again said "No." The hon. Member for West Salford (Mr. Lees Knowles) says that the clause is working well in other towns.

MR. LEES KNOWLES: No, I did not say that. I said that a similar clause had been inserted in other local Acts.

*MR. H. J. WILSON: At any rate, no one can bring forward any instance in which this power, though given in several Bills, has ever been put in operation, or has ever resulted in any way beneficially. I therefore think it is a useless, and perhaps an absurd clause; but in accepting the decision

of the Committee, I attached great importance to this point: that it is a very different thing for the House to insert a clause in a general Bill applying to the whole country, and for a Committee to insert a clause in a Bill applying to a place like Keighley, where there was a request for it on the part of the Corporation and no opposition whatever. Therefore, although I did not like the clause, I did not carry my objection to a Division.

(3.52.) DR. FARQUHARSON (Aberdeenshire, W.): I am unwilling to enter into the merits of the clause, but, after what the hon. Member for North Camberwell (Mr. Kelly) has said, I feel bound to state, from my own professional knowledge, that diseases have been spread from laundry operations. In this case the Committee took into consideration the unanimous desire of the Corporation of Keighley and the entire absence of any opposition to the clause. It would have been a strange proceeding indeed to have rejected a clause which was unanimously desired by the inhabitants. I am altogether in favour of Home Rule for localities, and I therefore appeal to the House not to yield to the Motion of the hon. Member for Crewe.

MR. M'LAREN: I beg leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill read the third time, and passed.

QUESTIONS.

BOMBAY ENGINEERS.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for India if the India Office will make inquiry into the refusal of the Government of Bombay to allow native applicants for certificates as engineers in local coasting steamers to be examined in their own native tongue, as is customary in every other country, instead of requiring them to prove to the satisfaction of the examiners that they speak and write English?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In reply to the question of the hon. Member, I have to say that the Secretary of State has received no official information from India upon this subject. The question of the hon. Member has, however, been forwarded to the Government of Bombay for remark.

THE MANIPUR PRINCES.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether it is true, as stated in a Reuter's telegram from Simla, that the Government of India will grant the Manipur Princes ample time, say until the end of July, to prepare their appeal, by professional counsel, against sentence lately passed on them; and, in the negative case, will the Secretary of State urge that such facilities should be granted to them?

*SIR J. GORST: Yes, Sir; the Government of India have already extended the time within which such representations will be received to the 31st of July.

FAMINE IN MADRAS.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been drawn to the very serious account of famine in Madras, especially among the lower castes; and what course the Government propose to take.

*SIR J. GORST: Yes, Sir; the danger of famine exists in some districts in the Madras Presidency, and it has for some time engaged the careful attention of my noble Friend the Secretary of State. The official telegrams which are received fortnightly show that the Government of Madras are carefully watching the condition of the people, and are taking steps for their relief from famine wherever necessary.

MRS. OLDFIELD'S CHARITY AT DENBIGH.

MR. S. SMITH: I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether the attention of the Charity Commissioners has been drawn to the mode in which the charity founded by Mrs. Oldfield at Denbigh is being administered by the trustees, the Bishop of St. Asaph, and the Rector of Denbigh, in the exclusive interests of Church of

England boys, and that no grants are made to boys who are Nonconformists; whether nearly the whole of the income of the charity is devoted to the payment of the salaries of teachers at the national school, though the will of Mrs. Oldfield expressly declares that "the boys should be taught in a school by themselves, and not be sent to public schools;" whether he is aware that while in 1837 there were 235 children educated free of charge, in 1889 the number was only seven, and is now stated to be only five: whether the Charity Commissioners have frequently, since 1855, pointed out to the official trustees that they were acting contrary to the provisions of the foundation, and have endeavoured to rectify their plans by establishing a fresh scheme; whether the original terms of the foundation require that 10 boys at least, boys of labouring men or poor tradesmen, shall be maintained, clothed, and taught in a school by themselves, while the poor boys are not maintained, neither are they taught by themselves; and the money which should, according to the foundation, be applied for those purposes is used for quite a different one; and, whether the Charity Commissioners will institute a searching inquiry into the administration of this trust?

MR. J. W. LOWTHER (Cumberland, Penrith): The attention of the Charity Commissioners has been recently directed to the mode of administration of this charity by the Report of their Assistant Commissioner on the charitable endowments of the parish of Denbigh. From that Report, which is so exhaustive as to render further inquiry unnecessary, it would appear that the questions of the hon. Member may be answered substantially in the affirmative. The powers of the Commissioners to frame any scheme providing for the further application of the charity are suspended by Section 11 of the Welsh Intermediate Education Act during the continuance of the powers vested by that Act in the Joint Education Committee of Denbighshire.

LOSS OF THE *ROXBURGH CASTLE.*

MR. R. POWER (Waterford): I beg to ask the President of the Board of Trade if any inquiry has been held regarding the loss of the ship *Roxburgh Castle*, 1,224 tons register, of Newcastle, through a collision with the ship *British Peer;* and if it is true that 22 men lost their lives?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Board of Trade ordered a formal inquiry under the Merchant Shipping Acts into the circumstances attending the loss of the *Roxburgh Castle*, of Newcastle, through collision with the ship *British Peer*, and by which, I regret to say, 22 lives were lost. But the facts were so fully investigated in the course of the proceedings in the Admiralty Court that it was not thought necessary to proceed with the inquiry.

SEVERE SENTENCE.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of a lad named Edward Lee; on 2nd May, Lee was sentenced in his absence to one month's imprisonment, at the Solihull Police Court, for playing at pitch and toss; on 16th May an application was made for a rehearing of the case, but this was refused, and no information was forthcoming in regard to the warrant of committal; on 17th June the warrant was executed, and Lee is now in gaol; and whether in view of the above circumstances he can see his way to a reduction of the sentence?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have made inquiry into this case. I am informed that no information was asked for with regard to the warrant. The prisoner had been repeatedly convicted of theft and other offences, and it was no doubt in view of those previous convictions that the Magistrates imposed the penalty in question. I was, however, of opinion that the sentence was too severe, and I have advised the remission of a fortnight's imprisonment.

PROCURATOR FISCAL FOR LEWIS.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether the Procurator Fiscal for the Lewis has resigned, and the Depute Procurator Fiscal for the district has been named by the sheriff as his successor; whether the appointment has been confirmed by

the Crown; and whether steps have been or are being taken effectually to prevent the holder of the office of public prosecutor from engaging either directly, or by means of a partnership, in private practice.

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is the case that the Procurator Fiscal of the Lewis has resigned, but no new appointment has yet been made as the question of remuneration is now under consideration. The restriction referred to by the hon. Member in the latter part of the question will, in this instance, as in all such cases, receive careful consideration.

THE EMPEROR OF GERMANY'S VISIT.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for War, that as a very large number of Volunteers do not leave their work till two o'clock on Saturdays, and would thus be unable to attend the Review to be held before the Emperor of Germany on Wimbledon Common on the 11th instant, whether arrangements can be made by which the Review can be held an hour later in the afternoon, in order to ensure a full muster of Volunteers?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): I am afraid that it is impossible to alter the time of the Review, but, as it will be held in deference to the special wish of the German Emperor to see the Volunteers, it is the desire of the Military Authorities that corps should turn out as strong as possible, and it is therefore hoped that employers of labour will concede to those in their service who have been patriotic enough to join the Volunteer Force as much time on that Saturday as they possibly can, consistently with their business arrangements.

MR. BOULNOIS (Marylebone, E.): I beg to ask the Secretary of State for War whether arrangements will be made for Members of Parliament and their wives to witness the Military Review, which is to be held in honour of the Emperor of Germany on Wimbledon Common on the 11th inst. I wish to supplement the question by asking what arrangements will be made for the public?

MR. BRODRICK: The space available is very restricted, and the stand accommodation will therefore be very limited; but I hope it will be found possible to offer facilities to at least a portion of the Members of the House of Commons to view the performance from a stand. The general arrangements are not yet complete, but information will be given as to them as soon as possible.

CARDIFF SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he can inform the House what progress has been made in the liquidation of the Cardiff Savings Bank, closed some six years ago, and when it is probable that the depositors will be paid the balance of the deposits due to them; and whether any interest will be allowed on the amounts so long withheld from the depositors?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have ascertained from the official liquidator of the Cardiff Savings Bank that he has, with the sanction of the Court, accepted the sum of £7,000 in all from seven of the trustees and managers in settlement of any liability that might fall on them. Proceedings are in progress against the president and 26 of the trustees and managers, of whom one has agreed to pay £1,000 in settlement. There is no immediate prospect of the payment of any dividend, and whether any interest will ultimately be paid cannot at present be stated. I may add that I have no control over the liquidation. It is open to anyone interested to ask the official liquidator (who is an officer of the Court) for information, and if dissatisfied with that furnished to apply to the Judge. I would therefore suggest to the hon. Member that if he desires further information on this matter he should make application to the official liquidator.

TRADE UNIONS.

MR. HOWELL: I beg to ask the President of the Board of Trade when the Report of Trade Unions will be issued: and whether such Report will comprise the two years 1889 and 1890?

SIR M. HICKS BEACH: I have already informed the hon. Gentleman that the Report, which will be issued

shortly, will include the figures for 1889 as well as 1890.

FRIENDLY SOCIETIES.

MR. HOWELL: I beg to ask the Secretary to the Treasury, whether he can inform the House what the total number of members in Friendly Societies is, and the total amount of funds in hand of the Registered Societies: and, whether it is possible to give such figures in the Annual Report of the Registrar of Friendly Societies?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The particulars asked for by the hon. Member will be furnished in the return moved for by the right hon. Member for West Birmingham (Mr. Chamberlain) in February last, which is about to be circulated. As regards the second paragraph of the hon. Member's question, it was decided in 1879 to publish the returns of Friendly Societies quinquennially instead of annually.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the Secretary to the Treasury, when the Return relating to Friendly Societies, ordered 9th February, 1891, will be laid upon the Table of the House?

MR. JACKSON: I beg to inform the right hon. Gentleman that the Return in question is very nearly complete, and that it is expected that it will be ready for presentation in a few days.

CONVEYANCE OF LIVE CATTLE.

MR. LENG (Dundee): I beg to ask the President of the Board of Agriculture, whether, before issuing the Board's intended regulations for the conveyance of live cattle across the Atlantic, he will inform the House of their general scope and effect, and also state in what respects they will differ from, or go beyond, the regulations already made by the Governments of Canada and the United States.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincoln, Sleaford): I am afraid it is not in my power to accede to the request of the hon. Member. It would be impossible for me to lay the regulations on the Table before they are issued, and I am aware of no other means at my disposal by which I could inform the House of their general scope and effect, and in what respects they will differ from or go beyond the regulations already made by the Governments of Canada and the United States. I may add that in the last statement the hon. Member is in error. Regulations have not been already made by the Government of Canada.

THE CORONER OF NORTHALLERTON.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the conduct of the Coroner of Northallerton, who, on the 28th April, held an inquest on Ann Foggin, who died at Marston Moor on the 26th April; whether the Coroner is bound to transmit a certificate to the Parish Registrar within five days of the inquest; and whether the Coroner has up to the present date neglected to do so, although repeated applications have been made to him by the Parish Registrar and by the Registrar General?

MR. MATTHEWS: I understand from a telegram, which I have to-day received from the Coroner, that the certificate was duly sent to the Registrar, who returned it for correction; and that thereupon delay ensued. I am not able to say on the scanty information before me to what extent the Coroner was responsible for this delay. He informs me that his certificate has now been returned to the Registrar.

PRISON LABOUR.

MR. QUILTER (Suffolk, Sudbury): I beg to ask the Secretary of State for the Home Department whether any contract for the hiring of prison labour by private firms for the manufacture of mats and matting has terminated since the deputation of the trade to him on 4th March; and whether he has seen his way to abolish or suspend that contract system, in accordance with the prayer of the deputation?

MR. MATTHEWS: No contract has terminated since March 4. Whenever a contract expires I shall take the opportunity of reviewing the whole question of the disposal of this form of prison labour, having in view the representations made to me with so much effect by the hon. Member and by the deputation which he introduced to me.

MERCHANDISE MARKS.

MR. QUILTER: I beg to ask the Secretary to the Treasury whether he is aware that silk piece goods enter our ports with only a detachable ticket to denote the country of origin; and whether he will, under the provisions of the Merchandise Marks Act or otherwise, take such steps that the public may know whether they are purchasing articles made from home or foreign made silk?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): Perhaps the hon. Gentleman will allow me to answer this question. There are no provisions in the Merchandise Marks Act, 1887, to enforce the marking of silk piece or any other goods on their importation into this country. Provided the tickets borne by the goods do not contain any false trade description of them as defined by the Act, and the goods themselves are not otherwise marked, the Customs officers have no power to interfere. Should, however, the silk piece goods have woven in them any wording or mark which amounted to a false trade description or otherwise offended against the Act, the qualification by means of detachable tickets would not be accepted by the Customs. A Parliamentary Committee recently inquired into the working of the Merchandise Marks Act, and they did not recommend that any alteration should be made in the law to compel the compulsory marking of goods.

THE ORKNEY MAILS.

MR. LYELL (Orkney and Shetland): I beg to ask the Postmaster General whether he will state what is the amount of subsidy paid for carrying the mails to the North Isles of Orkney; how many times a week is the present contractor required to send the mails; and whether the present contractor has been asked to send an offer for carrying the mails three times a week; if so, did he send an offer, and for how much?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The annual subsidy is £160 for a service by steamer twice a week. The contractor has offered to provide for a service three times a week for three months, six months, or twelve months, the additional payment demanded being £100, £200, and £400 a year respectively. The expenditure is already much in excess of the revenue from the correspondence, but I will consider whether, under the special circumstances of the case, I can authorise any increase in the frequency of the service.

IMPRISONMENT OF A JERSEY EDITOR.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department, whether he is aware that, on 16th March, Mr. Reynolds, editor of a newspaper in Jersey, was condemned to pay £50 damages, and £15 18s. 6d. costs, in respect to a libel published in the newspaper of which he was editor; and that, being unable to pay these sums, he has since been confined in prison as a debtor, where he will apparently pass the rest of his life unless some steps are taken by the right hon. Gentleman; and whether, in view of this fact, and of the facts which have been submitted to him, he is in a position to interfere in order to affect the release of Mr. Reynolds.

MR. MATTHEWS: Mr. Reynolds, editor of a newspaper in Jersey, was adjudged, by a decree of the Royal Court of Jersey, to pay £50 damages and £15 18s. 6d. costs in respect of a libel published in his newspaper, and, as he did not pay those sums, the aggrieved person exercised the right which the law of Jersey confers of detaining at his own cost the debtor in prison for one year. Mr. Reynolds could, by the law of Jersey, be sooner released by a decree of the Royal Court granting him the benefits of a *cessio bonorum*, which are allowed to a debtor who is "unfortunate and of good faith." Mr. Reynolds twice applied for such a decree, but failed to satisfy the Court that he was entitled to it. I have no power to interfere in a matter which is within the province of the Civil Courts of Jersey, who have, as I am informed, acted regularly and in accordance with law.

MR. LABOUCHERE: Cannot the right hon. Gentleman do something towards inducing the people of Jersey to do away with imprisonment for debt?

MR. MATTHEWS: It is no part of my duty to recommend legislation.

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL.

MR. TATTON EGERTON (Cheshire, Knutsford): I beg to ask the Vice President of the Committee of Council on Education, when it is the intention of Her Majesty's Government to bring on the Elementary Education (Blind and Deaf) Bill, so as to carry out the Report of the Royal Commission?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): My hon. Friend is aware that the Bill to which he refers has passed all its stages in another place, and I should be very glad if it could be placed upon the Statute Book this year; but looking to the period of the Session at which we have arrived, and to the fact that certain provisions of the Bill are likely to be opposed, I am afraid it is not probable that it will be proceeded with in the next few weeks.

BRUSSELS ANTI-SLAVERY ACT.

MR. SCHWANN: I beg to ask the Under Secretary of State for Foreign Affairs what Powers have, up to the present, ratified the General Act and Customs Declaration of the Brussels Anti-Slavery Conference; and, in case England has not yet ratified, will the question be submitted to discussion and decision of the British Houses of Parliament?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E): The Representatives of the Powers who are parties to the Anti-Slavery Act of Brussels will immediately meet to exchange Ratifications, and it cannot be stated in advance how many of them will do so, nor can it be at present stated what course Her Majesty's and other Governments will take in consequence of the results of the meeting. Great Britain has ratified. The General Act has been before Parliament since November last.

ALBANY STREET BARRACKS.

LORD HENRY BRUCE (Wilts, Chippenham): I beg to ask the Secretary of State for War why the barracks in Albany Street, Regent's Park, are to be rebuilt, and not the officers' quarters; whether he is aware that the whole building is in a very dilapidated state; that the cellars and servants' kitchens are damp and unwholesome, and that disinfecting powder has to be freely used to combat the smells below; and that as regards sanitary arrangements, such as we understand at present, there are none; and whether he will allow an inquiry to be ordered, as these quarters, being so close to the Regent's Canal, suffer mostly during the hot weather from the stagnant water?

MR. BRODRICK: The Regent's Park Barracks will not be rebuilt, but great improvements will be made, in which the officers' quarters and mess-room will be included. The building, though old, is not dilapidated; the basement rooms are dark, and not such as would now be constructed, but they will not be used as living rooms. Proximity to the Regent's Canal is undoubtedly inconvenient, but the building is considerably above the water level. The whole sanitary arrangements and drainage of the barracks will be reconstructed, and the Military Authorities are perfectly satisfied with the proposed alterations.

DISTURBANCES IN OPOBO.

MR. WHITLEY (Liverpool, Everton): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have any information as to reported disturbances in the interior of Opobo; and what steps, if any, they have taken for the protection of life and property?

*SIR J. FERGUSSON: We have received a telegram from the Acting Consul reporting a disturbance in the interior, some little distance behind the town of Opobo, at a place called Aqueta, where European factories have been established. The rising seems to have been suppressed, and no further danger is apparently apprehended. The Acting Consul and some of the police are said to have been wounded; but he does not ask for assistance, nor does the wound seem to be serious. Two British men-of-war are going to the Oil Rivers to meet Major Macdonald, and will be available if required.

POSTAL ACCOMMODATION IN SHETLAND.

MR. LYELL: I beg to ask the Postmaster General whether he is prepared to give effect to the petition of fish-

curers and inhabitants of Baltasound, Shetland, in which they beg that a post and telegraph office may not be established at Squarefield, the house of the newly-appointed postmaster; and whether he will require the new office to be in premises which are not licensed for the sale of intoxicating drinks?

*MR. RAIKES: I understand that Mr. Anderson, who has been nominated by the Lords of the Treasury to the situation of Sub-Postmaster at Baltasound, does not propose to conduct Post Office business in the premises in which the licensed grocer's business with which he is connected is carried on; and, in these circumstances, I see no reason, as I stated in answer to the hon. Member's question on the 1st instant, for refusing to give effect to the nomination. As far as I can gather, the premises where the new office is to be established will be generally convenient.

THE SHENSTONE SCHOOL.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the evidence given in the inquest on the body of James Harry Russell, aged eight years and nine months, in which it was stated that the lad had been hit about the head with a strap and a stick by the schoolmaster of the Shenstone School, near Lichfield; and whether it is the intention of the Education Department to take any action in reference to this matter?

SIR W. HART DYKE: I am unable to answer the question at the present moment. Perhaps the hon. Member will be good enough to put it off until Monday.

ROYAL NIGER COMPANY'S TERRITORY.

MR. NEVILLE (Liverpool, Exchange): I beg to ask the Under Secretary of State for the Colonies whether the Government have arranged or are negotiating for the acquisition of any territory from the Royal Niger Chartered Company; and, if so, of what territory?

SIR J. FERGUSSON: Perhaps the hon. Member will allow me to answer the question. No. An arrangement is being made for defining a frontier between the two British Protectorates of the Niger and the Oil Rivers for the convenience of administration. The arrangement will not diminish the area assigned to the Chartered Company.

THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government is acquainted with the stipulations contained in the Treaty just signed between Germany, Austria, and France; whether the Marquis Rudini was correct in stating, on 29th June, in the course of a Debate in the Italian Chamber upon the expediency of Italy joining the Triple Alliance, that some years ago there had been an exchange of views between Italy and Great Britain, and that the two countries had proposed to co-operate for the maintenance of peace and the *status quo*; in what year this exchange of views took place; against what Power or Powers this co-operation was aimed; and whether the co-operation between this country and Italy for the maintenance of peace and the *status quo* was outside the General European concert for these objects?

*SIR J. FERGUSSON: Her Majesty's Government have no information with respect to the stipulations contained in the Treaty which is said to have been signed between Germany, Austria, and Italy. The Marquis Rudini is reported to have expressed his concurrence in the description which has been given on the part of Her Majesty's Government of the exchange of views which has from time to time taken place between the Governments of Great Britain and Italy. Her Majesty's Government have no doubt that the Marquis Rudini has also correctly described it. They are not yet in possession of the text of His Excellence's speech, but, as has been repeatedly stated, any measures to be taken in case of need for the maintenance of the *status quo* in the Mediterranean would be a matter for consideration according to the circumstances of the case, and any employment of Her Majesty's Forces would, as heretofore, depend upon the estimate of those circumstances entertained by Her Majesty's Government. The exchange of views has been occasional, but there has been no change of any kind in our attitude from that which I defined in my reply to

the hon. Gentleman in 1888. I repeat, as I then stated, that the existing understanding is not aimed against any Power or Powers. I am not aware of any general European concert for the maintenance of the *status quo* other than may be deduced from Treaties which are before the House.

EDUCATION GRANT TO SCOTLAND.

MR. CAMPBELL - BANNERMAN (Stirling, &c.): I beg to ask the Chancellor of the Exchequer whether he can state the amount of the additional grant to Scotland which will necessarily follow upon the extensions which have been given in Committee to the original provisions for free education in England in the Bill now before the House?

MR. GOSCHEN: It is estimated that the sum required for the payment of the fee grant upon the average attendance recognised by the Code of children between 3 and 15 will be for the next full financial year about £1,885,000, and for the current financial year about £810,000. The corresponding amount of the Scotch grant will be for the next full financial year about £259,000, and for the current financial year about £111,000.

MR. SEXTON (Belfast, W.): What are the corresponding figures for Ireland?

MR. GOSCHEN: The corresponding figures for Ireland will be £212,000 for the full financial year, and £91,000 for the current financial year.

BRITISH COLUMBIA.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Chancellor of the Exchequer whether it is true, as stated in the *Daily Chronicle* newspaper of 18th June, that arrangements were all but completed by which an advance of £150,000 was offered by the Imperial Government to the Government of British Columbia, for the purpose of promoting emigration from the Highlands of Scotland; and, if so, when he expects to be able to give the House an opportunity of discussing the transaction?

MR. GOSCHEN: The Committee on Colonisation recommended the adoption of the scheme of crofter emigration which was proposed by the Government of British Columbia. Her Majesty's Government have informed the Government of British Columbia that they are prepared to accept that scheme with certain modifications. If an agreement is arrived at the House will have an opportunity of discussing the proposed scheme, since a Bill will be necessary to give effect to it.

MR. ANGUS SUTHERLAND: Are the Government also willing to entertain the recommendations of the Colonisation Committee upon Immigration?

MR. GOSCHEN: I must ask for notice of that question.

STATUTE LAW REVISION BILL.

MR. HOWELL: I beg to ask the First Lord of the Treasury whether it is the intention of the Government to proceed with the Statute Law Revision Bill, and to refer such Bill to a Select Committee; whether he can inform the House if the Bill is framed upon the lines laid down by the Select Committee of last Session, and approved by both Houses of Parliament; and whether, in view of the facts that the first four volumes of the new revised edition of the Statutes have been issued as an instalment of a proposed complete edition to date; that much labour and public money have been already spent upon the next three volumes, the publication of which only awaits the passing of the Bill now before the House; that the work of the Statute Law Committee has been sanctioned by successive Governments, he will endeavour to secure the passage of the Bill without delay?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government are anxious to proceed with the Statute Law Revision Bill, but they are, as the hon. Member must be aware, unable, except by agreement, to take the Bill after 12 o'clock. I am informed that the Bill is framed on the lines laid down by the Select Committee of last Session. I agree with what the hon. Member's question states as to the desirability of continuing the edition which has been commenced and which for the first time will place within reach of everybody the living law of the land. But in a matter of this kind it is most desirable to proceed with the general consent of all parties, and to give due consideration to every reasonable objection. I should, therefore, welcome any suggestions that may be made for arriving at that agreement,

and for facilitating the continuance of the work. I may offer, as my own suggestion, whether it would be possible to divide the Bill, so as to allow that portion of it to pass at once which relates to the period ending with 5 & 6 Vic., a period dealt with by the Acts of last Session, and to postpone till next Session the consideration of the rest of the Bill, so as to leave time for arriving at the general agreement which we must all desire.

CIVIL SERVICE ESTIMATES.

MR. LENG: I beg to ask the First Lord of the Treasury whether he can state when the Civil Service Estimates, Class II., which were set down for the first day after the Whitsuntide Recess, will be proceeded with; and what arrangements are likely to be made for dealing with the large number of Votes still remaining to be taken in Committee of Supply?

*MR. W. H. SMITH: It is not in my power to say when the Estimates will be proceeded with until the Education Bill has passed through all its stages.

PLEURO-PNEUMONIA.

MR. LENG: I beg to ask the President of the Board of Trade whether representations have been made to him that, at the Royal Dublin Spring Show, a Jersey cow was exhibited in an advanced stage of pleuro, and died within a week afterwards from the disease; whether, in accordance with its own regulations, it was the duty of the Board to order all the cattle "in contact" with the diseased animal at that show to be slaughtered; whether he is aware that such order has been served on one more of the exhibitors, with an offer to give compensation at the rate of £40 per head, that being the highest sum allowable for any one beast under the Contagious Diseases (Animals) Act, but that, in consequence of strong protests against the adequacy of that compensation in the case of highly bred cattle, and other remonstrances, the carrying out of the order has been indefinitely postponed; and whether the Pleuro Order is to be disregarded when it involves the slaughter of valuable pedigree stock, and only enforced against ordinary cattle?

MR. CHAPLIN: The Board of Agriculture received on May 29 an intimation that a Jersey cow was exhibited at the Royal Dublin Society's Show on March 31 and following days, and died of pleuro-pneumonia on April 10. The other paragraphs of the hon. Member's question contain a series of assumptions, in all of which the hon. Member is misinformed. It was neither the duty nor within the power of the Board to order all the cattle in contact with the diseased animal at that show to be slaughtered, and no such order has been made, and consequently the carrying out of the order has not been indefinitely postponed in consequence of the strong protests against it. With regard to the last paragraph, the hon. Member is apparently not aware that, while slaughter is obligatory in the case of animals which are diseased, the slaughter of those which have been in contact is left to the discretion of the Board, and in the case of valuable pedigree cattle I should endeavour to use that discretion as far as is consistent, in my judgment with the effective working of the Act.

SALE OF HOLDINGS IN IRELAND.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can explain how it happens that in the last half-year so large a proportion of the cases of sale of large holdings are either sales of single holdings or of estates in which the average value of the holding sold is very large; and particularly how it comes that while the law absolutely restricts advances beyond £3,000 to any one purchaser to cases to where that is necessary to carry out sales on the estate of the same landlord, the Commissioners have now sanctioned the sale of a single holding by executors of the Marquess of Ely for £4,199, and of another by R. J. Maxwell for £3,900, when no accompanying sales to smaller tenants were made?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Irish Land Commissioners report that the advances specified in the Report were sanctioned from time to time in pursuance of the law as it existed at the respective times when such sanctions were given. The two particular advances mentioned by the hon. Member were sanctioned shortly

after the passing of the Land Law (Ireland) Act, 1887, which authorised advances to any one purchaser up to £5,000. The restriction to £3,000 was not enacted until December, 1888.

SIR G. CAMPBELL: How is it that the sales sanctioned in 1888 were not effected till 1891?

MR. A. J. BALFOUR: The sale is not necessarily completed when it is sanctioned. Questions of title have afterwards to be examined.

REDEMPTION OF RENT (IRELAND) BILL.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps he proposes to take to facilitate the passing of the Redemption of Rent (Ireland) Bill?

MR. T. W. RUSSELL (Tyrone, S.): I beg also to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the anxiety felt in Ireland regarding the Redemption of Rent Bill, and the practical unanimity prevailing amongst all sections of Irish Members in regard to it, he will arrange for the Second Reading to be taken at an hour which will enable the views of the Irish Members to prevail?

MR. A. J. BALFOUR: As the House is aware, the Government did not pledge themselves to hold out any hopes that they would be able to press this Bill, if it were of a controversial character. But I understand that the opposition is extremely restricted—[Mr. SEXTON: One Member]—and, as far as I know, the Bill is not of a controversial character. I will consult my right hon. Friend the Leader of the House, and see whether some opportunity cannot be found for bringing the Bill on shortly before 12 o'clock.

DUBLIN AND BLESSINGTON STEAM TRAMWAY COMPANY.

MR. T. W. RUSSELL: I beg to ask the Postmaster General whether he is aware that the Dublin and Blessington Steam Tramway Company have carried Post Office parcels since their line was opened in 1888 without receiving any remuneration for such carriage; whether repeated applications have been made to the Post Office authorities for payment; and if he can state why these applications have not been complied with?

*MR. RAIKES: The Dublin and Blessington Steam Tramway Company have carried parcels for the Post Office, as stated by the hon. Member, and have been informed that they must look to the Railway Clearing House for their share of the remuneration paid by the Post Office under the Post Office (Parcels) Act, 1882. The company, however, claim that they are not bound to carry parcels under the Act, and the question having arisen in another similar case, steps have been taken to secure a judicial decision on the point. When this decision has been given—and I understand it is likely to be given at an early date—the matter will be settled.

FREE EDUCATION.

MR. CALDWELL: I beg to ask the First Lord of the Treasury whether, the Government having agreed to lower the age of free education in England from five years to three years of age, and to extend the age from 14 to 15 years of age, they are prepared to amend to the same effect the amendment of the Scotch Code, 1891, presently lying on the Table of the House, and awaiting confirmation?

*MR. J. PARKER SMITH (Lanark, Partick): May I ask whether the Government have received any expressions of dissatisfaction from Scotland in regard to the recent change by which the age is practically raised from three to five; and whether the different circumstances of the two countries do not make it probable that the money devoted to education in one way in England may be used with advantage in different ways in Scotland?

*MR. W. H. SMITH: In answer to the question of the hon. Member for Partick (Mr. J. P. Smith), I have to say that we have not yet received information which would justify us in recommending any course to the House at the present moment, and I desire to say to the hon. Member for St. Rollox (Mr. Caldwell) that before laying on the Table of the House the Minute of June 11 the Government had carefully considered the expressions of opinions received from Scotland, and they think it is inexpedient to commit themselves to any alteration of that Minute until

due opportunity has been given for the expression of opinion in favour of the change. It must be remembered that the Capitation Grant in relief of fees in Scotland is now paid on the whole average attendance without restriction. The alteration suggested would consequently make no change in the amount at the disposal of the School Authorities, but would only compel them to extend free education to a point to which they would doubtless grant it as matters now stand, if they found the funds at their disposal sufficient. It is doubtful whether the alteration would be well-timed, seeing that the financial arrangements of School Boards for the year ending at Whitsun Day next have now been made. I observe that the hon. Member for St. Rollox has a Motion on the Paper for to-night with reference to the disposal of this fund. I would venture to express a strong hope that he will not bring it forward, having regard to the fact that Scotland has had no opportunity yet of considering the question, and it would, in the judgment of the Government, be most premature to ask the House to affirm a principle without giving time for any expression of opinion in Scotland.

MR. CALDWELL: After the expression of opinion from the right hon. Gentleman, I will not proceed with my Motion.

*MR. HUNTER (Aberdeen, N.): I beg to ask the right hon. Gentleman whether it is not the fact that since the introduction of free education in Scotland a very large increase in the number of children under five years of age has taken place in the schools; whether in the town of Aberdeen the number has not increased to such an extent that the School Board have been obliged to provide 3,000 additional places; whether great injustice will not be done to School Boards in Scotland by introducing this limitation of age; and whether the Government will not see the propriety of taking out of this sum of £110,000 coming to Scotland the amount necessary to provide for the full extension of free education to the same extent in Scotland as in England?

MR. BRYCE (Aberdeen, S.): I wish further to ask the right hon. Gentleman whether he contemplates that the opportunity for the expression of Scottish opinion on this matter shall extend beyond the end of the present Session; or whether he conceives that within a fortnight or three weeks from now there will have been sufficient opportunity to enable him to announce the intentions of the Government?

*MR. W. H. SMITH: I should say for myself, speaking without much consideration, that it would hardly be reasonable or fair to Scotland to come to any decision upon so grave a matter as this between the present time and the end of the Session. But I would remind hon. Members that Scotland got free education for her children a year in advance of England, and I think no serious injury will result if it is expedient to extend the provision to children under five years of age. In reply to the hon. Member for North Aberdeen, I may say that it is the fact that there has been a large increase in the number of children under five years of age in the Scotch schools. As to the appropriation of the £110,000, I can only repeat that it is to be given to the ratepayers of Scotland. It matters very little whether it is given to the ratepayers who pay school rates or to the ratepayers who pay ordinary urban rates. It seems to me they are the same persons, and that the money will go into one pocket only.

*MR. HUNTER: I would ask the right hon. Gentleman whether he is aware that by paying the money to rates only 25 per cent. of the population will substantially benefit, and that it will go to the rich instead of the poor?

*MR. W. H. SMITH: I am not aware that the poor only pay School Board rates in Scotland, but I will inquire. I thought they were paid by all classes alike.

MR. CALDWELL: Will the right hon. Gentleman be prepared to withdraw the Amendment to the Code now on the Table, and leave the matter over for consideration till next Session, without prejudice to the question?

*MR. W. H. SMITH: If the hon. Member will put the question on Monday I will give him an answer.

MR. CAMPBELL-BANNERMAN: May I ask the First Lord of the Treasury whether the Government still intend that the equivalent grant for Scotland shall be submitted to the House in the form of an Estimate; whether their

attention has been called to the difficulty in which Scotch Members will thus be placed in desiring to record their views as to the purposes to which, and the conditions subject to which, the money shall be applied; and whether the Government will adopt some mode of procedure by which due opportunity can be afforded for proper discussion of the matters involved, and, if necessary, for taking Divisions upon them?

*MR. W. H. SMITH: After full consideration, the Government think it better to adhere to the method indicated in answer to previous questions, as it appears to them to be the only one in which the temporary appropriation of the equivalent grant for Scotland can be satisfactorily discussed. As the right hon. Gentleman is aware, in Committee of Supply there is much greater freedom of discussion than can take place in any other form by which the matter can be presented to the House.

*MR. CRAWFORD (Lanark, N.E.): May I ask whether the right hon. Gentleman does not think it would be more convenient to follow the precedent of 1888, when the Probate Duty (Scotland and Ireland) Bill was passed under similar circumstances, to deal with a temporary appropriation of the Probate Duty Grant?

*MR. W. H. SMITH: I have pledged myself not to introduce any contentious Bills during the remainder of the present Session, and, having regard to the attention paid by the Scotch Members to all questions relating to Scotland, I am afraid I should be guilty of a breach of that arrangement if I followed the suggestion of the hon. Member.

MR. CAMPBELL-BANNERMAN: While there is ample time for discussion on the Estimates, there is no opportunity for testing the opinion of the House by Divisions with the same freedom as if another form of procedure were followed.

DR. CAMERON: Can the right hon. Gentleman give any indication when the Scottish Estimates will be taken?

MR. HUNTER: I would ask whether it is not the fact that the only Amendment which it is competent to move on the Estimates is the reduction of the sum, and that it is not competent to move that the money shall be applied to any other purpose, and whether taking a discussion on the Estimates will not absolutely debar the Scotch Members of any opportunity of presenting any alternative method.

*MR. W. H. SMITH: I am sure that from the ability of the hon. Member he will find an opportunity of discussing any question of this kind. He is well aware that a merely nominal reduction may be moved. It is quite impossible to say when the Scotch Estimates will be taken. While I desire to consult the convenience of hon. Gentlemen, the Government must proceed with the Bills now on hand. After that I will endeavour to fix both the Scotch and Irish Votes so as to give full opportunity for discussion.

VIADUCTS ON THE LONDON AND BRIGHTON RAILWAY.

MR. R. G. WEBSTER: I beg to ask the President of the Board of Trade if his attention has been called to the statement in the *Financial News* of 25th June, 1891, that Sir John Fowler, consulting engineer to the London and Brighton Company, officially reports—

> "That the Shoreham Viaduct must be reconstructed at once, whilst it is still safe, and that this viaduct was opened in 1847, and consists of 36 spans of 30 feet each,"

and further—

> "That there are 20 other bridges," on the same line of railway, "which must be reconstructed within 12 months, or sooner, if possible, by the substitution of wrought-iron (or preferably steel) for cast-iron";

and, further, he is reported to have stated—

> "That there are 60 other bridges which must be summarily dealt with afterwards, and the whole of them must, he considers, be reconstructed within two or three years";

if these statements are correct; and when the Papers and Reports on this subject, presented to Parliament on the 18th of June, will be printed and issued to Members?

SIR M. HICKS BEACH: I presented this Report some days ago, and I understand it will be circulated in a day or two. Hon. Members will then be able to see the precise terms of Sir John Fowler's Report, which will give a better idea of the whole matter than I could give by reading extracts to the House.

MR. R. G. WEBSTER: Are these extracts substantially correct or not?

SIR M. HICKS BEACH: I have nothing to add to my answer. I think it would be as well to wait for the Report.

POSTAL BUSINESS AT CLONDALKIN.

MR. WEBB (Waterford, W.), (for Sir T. ESMONDE): I wish to ask the Postmaster General whether, in consideration of the increase of postal business at Clondalkin, County Dublin, and also to meet the wishes of the people of the district, he would sanction the change of the hour of the despatch of the mails from 7.15 p.m. to 9.30 p.m.

*MR. RAIKES: A later night mail despatch than at present from Clondalkin would entail additional expense, and I am making inquiry, with a view to ascertain whether this expense can properly be incurred.

THE THIRD RESIDENCY MAGISTRATE IN BOMBAY.

MR. PHILIPPS (Lanark, Mid): I beg to ask the Under Secretary of State for India whether it is true that the Bombay Government propose to appoint Mr. Webb to be Third Residency Magistrate, though this is a post which has usually been reserved for a native; whether he is aware that Mr. Webb is over 45 years of age; that, though he has been in Bombay about 25 years, his experience of work at the Bar is very small; and that he is unacquainted with the provincial vernacular; and whether the Secretary of State for India will cause full inquiry to be made into all the circumstances attending the case?

SIR J. GORST: I must again ask the hon. Member to postpone this question, as the Secretary of State has not yet received information which would enable an answer to be given.

FINANCIAL RELATIONS OF ENGLAND, SCOTLAND, AND IRELAND.

MR. SEXTON (Belfast, W.): I beg I ask whether the Chancellor of the Exchequer, seeing that the Committee on the Financial Relations between England, Scotland, and Ireland have not yet been appointed, cannot publish some of the facts in his possession in the form of a Parliamentary Paper?

MR. GOSCHEN: I regret the course which has been taken in regard to the appointment of the Committee, and I think the suggestion of the hon. Member is a reasonable one. I will undertake to give in a Parliamentary Paper the materials which I have collected and which are very considerable.

BUSINESS OF THE HOUSE.

(4.40.) MR. H. H. FOWLER (Wolverhampton, W.): I wish to ask whether, having regard to the understanding arrived at that the Session shall terminate before the end of July, an undertaking which I hope and believe will be adhered to, and also to the statement then made as to the Bills the Government intend to proceed with, the Government programme is complete, and that no further Bills will be introduced. I know there is a tendency in Departments to bring forward Bills called non-controversial, which are generally very controversial. If there is an understanding that no new Bills will be taken we shall know where we are.

*MR. W. H. SMITH: I am glad that the right hon. Gentleman has referred to the understanding, which was welcomed by hon. Gentlemen on this side of the House, as well as by hon. Gentlemen opposite, for I believe there never was a Session in which more constant labour has been shown by Members of Parliament than in this. The Government are not able to give the absolute engagement the right hon. Gentleman asks for. They are not able to say if a Department finds some defect that a Bill—simply a Departmental Bill—will not be introduced to remove that departmental defect. But I will undertake that the engagement which I gave some time ago shall be observed, and that no contentious measure shall be introduced or pressed upon the consideration of the House. But the right hon. Gentleman must be aware that from time to time matters are disclosed which ought to be remedied in the public interest, which are in no sense political in their character. But if measures are brought forward of that character which the House thinks are controversial they will not be pressed.

(4.45.) MR. H. H. FOWLER: Upon what day will the right hon. Gentleman be able to say no new Bills will be introduced?

*Mr. W. H. SMITH: The right hon. Gentleman has been in Office, and if he was able to say that no deficiency would be found out by the permanent officials during the next three weeks which required to be remedied, he was more skilful than I profess to be. But I will do everything I can against the Paper being overloaded, or the House being asked to undertake any work it will not be fair to ask it to discharge.

Mr. KELLY: I would ask whether the right hon. Gentleman will not undertake at this period of the Session to move the adjournment of the House as soon as the Government Business is disposed of?

Mr. W. H. SMITH: That course is never adopted, and it would be rather harsh, if the Government got their business over by 12 o'clock, to deprive private Members of the opportunity of proceeding with their measures when they are not objected to.

Mr. PICTON (Leicester): Does the right hon. Gentleman include the Clergy Discipline Bill among the non-contentious measures?

*Mr. W. H. SMITH: I made a statement with regard to that Bill a fortnight ago. That is still my position. The right hon. Gentleman the Member Member for Mid Lothian is deeply interested in the measure, and I hope he will be able soon to return to the House in order that we may be able to proceed with the Bill.

Sir G. TREVELYAN (Glasgow, Bridgeton): Might I ask whether the right hon. Gentleman thinks that the time has arrived when Public Business might be commenced at a quarter past 3 o'clock?

*(4.48.) Mr. W. H. SMITH: I rather think that up to the present time Private Business has occupied more time than is usually allotted to it. It was considerably after half-past 3 before the House got to Public Business this evening, and probably it would be for the convenience of the House that on and after Monday next Public Business should begin at a quarter-past 3. I also take the opportunity to move that the House do meet to-morrow at 10 o'clock for the purpose of receiving the Royal Assent to the Consolidated Fund Loan Bill and other Bills. It is essential the Royal Assent should be signified at 10 o'clock to-morrow morning. It will not be necessary, however, for hon. Members to attend as the Commission makes the House. As soon as Mr. Speaker has returned from the House of Lords, the Sitting will be suspended until 3 o'clock.

SITTINGS OF THE HOUSE.

Resolved, That this House do meet to-morrow at Ten of the clock a.m.—(*Mr. William Henry Smith.*)

MESSAGE FROM THE LORDS.

That they have agreed to,—Law Agents and Notaries Public (Scotland) Bill, *changed from* Law Agents (Scotland) Bill, with Amendments.

MOTION.

METALLIFEROUS MINES (ISLE OF MAN).

On Motion of Mr. Secretary Matthews, Bill to amend "The Metalliferous Mines Regulation Act, 1872," in its application to the Isle of Man, ordered to be brought in by Mr. Secretary Matthews and Mr. Stuart Wortley.

Bill presented, and read first time. [Bill 400.]

ORDERS OF THE DAY.

ELEMENTARY EDUCATION BILL.

(No. 355.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

*(4.50.) Mr. DE LISLE (Leicestershire, Mid): I rise to move the Amendment which stands in my name—

"And provided that in case of School Board schools the school rate does not amount to 1s. in the pound on the rateable value of the school district."

The effect will be to prevent the new 10s. fee grant being available for School Board schools in districts where the rate is already 1s. and upwards. When the Education Bill of 1870 was before this House the proposal was to limit the School Board rate not to 1s., but to 1d. in the £1. Sir Massey Lopes moved the following proviso:—

"Provided that the sum so paid shall not exceed in any one rate the amount of a penny in the pound on the rateable value of the area included in the school district."

That proposal was most seriously made to

the House, and it received the most hearty support of a gentleman who then bore the name of Mr. Vernon Harcourt —I presume the same gentleman as the right hon. Member for Derby (Sir W. Harcourt)—who contended that education was an Imperial necessity and ought to be an Imperial charge. Mr. Forster, in his reply, defended the imposition of 1d. rate, but said the rate would in no case exceed 3d., although he admitted that the rate he was imposing was not altogether a just one. He said—

"He did not complain, however, of the hon. Baronet making a strong protest against a mode of taxation which he felt to be not entirely just."

If the mode of taxation was not entirely just when it was supposed it would never exceed 3d. in the £1, I contend that it is very far from just now that the rate has in many cases risen to 1s. and above 1s. Considering that this is the first time any great alteration is being made in the Education Act, I believe I should be wanting in my duty to my constituents if I did not endeavour to induce Her Majesty's Government to assent to some limitation being imposed upon the extravagance of the School Board schools. It is said if we limit the rate to 1s. the School Boards will conclude that that is the proper rate, and they will all jump up to it at once. I propose, therefore, that if the rate reaches 1s. the School Board shall not have the benefit of this particular grant. In cases where the rate is 11d. or a little over, the School Board will, if my Amendment is adopted, be inclined to keep it at that level, because they would gain nothing by going beyond 1s. unless they went up to 1s. 4d. In my own division the average rate is 5d. In Loughborough, which contains one-third of the voting power of the division, the Board have been very economical, and the rate has been kept down to about 3·5d. In the town of Leicester the rate is already 11·5d., but in the suburbs of Leicester it is in one place, Aylestone, 19·2d.; in another, Belgrave, 14d.; at Hinchley, 13·3d.; in Evington, 18·5d.; in Humberstone, 18·9; and at Seagrave, 12·5. Some very important evidence has been published by the Chairman of the Finance Committee of the London School Board (Sir R. Temple). The concluding sentences of his Report are a good reply to those who say that we who oppose the raising of the School Board rate are hindering the progress of education. The hon. Member shows that, notwithstanding the vast increase in the School Board rate in London, so far from education having advanced *pari passu*, it has gone back. He says—

"This brief review, then, shows that the continuous growth of expenditure is to be found in every branch of the Board's work without exception. This growth is out of proportion to the increase of schools and scholars. The number of schools and scholars increases slowly, but the expenditure increases faster. The rateable value, which affords a basis to the taxation for defraying this expenditure, increases quinquennially in a certain ratio. But this ratio is exceeded by the ratio of the growth of the precept taxation during the same period. Meanwhile, the standard of instruction, though fairly well sustained, is not rising, nor is there any countervailing advantage in return for the increased cost. I have, then, to submit that we are spending too much money, and yet are failing to make the educational progress that we ought. But, despite all drawbacks and shortcomings, I adhere to what has been said in my previous statements as to the moral good which the Board has effected, the enlightenment which it has diffused, and the organisation which it has employed for combatting the social difficulties in such an area as that of the Metropolis."

That being so, and the School Board rate having reached 11·5d., it is time by raising this question, first to make a protest against the extravagance of School Boards, and, secondly, to endeavour to incorporate into the Bill a provision which would have the effect of discouraging that extravagance. If my proposal were carried, the voting power of School Boards would not be interfered with. I intended to move an Instruction to this Committee to limit the rating power to 1s., but that was ruled out of order, and there is consequently nothing left me but to propose my present Amendment. In the Report of the hon. Member for Evesham (Sir R. Temple), to which I have already alluded, allusion is made to a very serious departure from the intentions of those who framed the Elementary Education Act. He says—

"Then there is a particular item to which I must draw attention financially, namely, this £3,000 for selected schools for upper standards. This is a new expense of an important character, which may grow indefinitely. It amounts to this: that in certain selected schools, the scholars of the upper standards belonging originally to neighbouring schools,

are to be gathered together, and so concentrated as to receive special instruction from teachers devoted to them alone. It is for this special teaching that the extra charge of £8,000 is needed for this the first year of the arrangement. It will recur annually, and, if not checked, will increase, no doubt. These will be, of course, very superior and excellent classes. But the teaching afforded them will be nothing less than secondary or superior education, in the very midst of our elementary system. Undeniably this is grafting secondary instruction on to our Board school system at the charge of the rates. Financially, I submit that this is beyond the intention of the law, but the Board and the ratepayers will judge. I, for one, should welcome the affording of this secondary or superior education, but I submit that it ought to be at the cost of those who benefit thereby and not at the cost of the ratepayers. Now that fees are to be abolished by the new legislation, there can be nothing paid by those benefited, and if this secondary education is to be allowed then the rates must inevitably bear the cost."

Although the education given in these schools is very good, it is not of the kind which the public ought to be called upon to pay for. I have here a letter from a working man pointing out the great grievance under which he suffers. He is the owner of a small house in the district of Hammersmith, and it is upon him and persons of his class that the burden of these rates falls so heavily. I believe if we were to put a limit to the extravagance of School Boards we should, to some extent, recoup the Treasury for its generosity in extending the limits of age from 5 and 14 to 3 and 15. I was amongst those who heartily supported that extension. I am always prepared to promote the cause of education, provided religious liberty is not interfered with. In the Report of the Commission on Education it is specially pointed out that the voluntary schools are in danger of being thrust out of existence through the competition of the Board schools with the unlimited resources at their command. In the interests of the elementary denominational schools I also recommend the Amendment to the Committee. The average cost of educating a child in a Christian school of whatever denomination is considerably less than the average cost of educating a nondescript child in a Board school. The cost of educating children in Roman Catholic schools is less by 8s. per head. At present Board schools have tremendous pecuniary advantages, although they are really as denominational or sectarian as any voluntary schools, for I suppose that at Board schools people favour at least theistic conceptions of a kind which Voltaire might have approved. The fact that children are educated at voluntary schools at a less cost than at Board schools constitutes good ground for giving relief to the former. Many of my constituents, I may observe, are bitterly disappointed by the proposals of the Government respecting voluntary schools, and consider that they have been betrayed on this question of education. There are a good many Conservatives in the country who believed that when the education question was reopened that at least the 17s. 6d. limit would have been dealt with and the voluntary schools put upon terms of equality with the Board schools. I daresay, however, there are reasons why that is impossible at present; and as long as Home Rule is in the atmosphere, we must be prepared to put up with a good deal. As to the effect of my Amendment, I do not believe that it will be thought a grievance in any part of the country, while it certainly will afford considerable relief to those who not only pay the school rate but also support voluntary schools. There are, I believe, 11,900 schools belonging to the Church of England, 551 to the Wesleyans, 946 to the Roman Catholics, and only 4,714 Board schools. The Amendment if carried would only affect the few School Boards whose extravagance has led to the imposition of a 1s. rate. Of course, if the ratepayers do not mind paying a high rate they can still keep these Boards in power, but I think the adoption of this Amendment by the House would constitute a warning to School Boards against extravagant expenditure, and be a reminder that our present educational system was accepted in the belief that the rate would in no instance exceed 3d. If the Amendment does not meet with that amount of support which I hope hon. Members will give to it I will not press it to a Division. Under any circumstances, I hope the Debate upon it will be finished before the dinner hour.

Amendment proposed,

In page 1, line 15, at end, to insert "and provided that in case of board schools, the school rate does not amount to one shilling in

the pound on the rateable value of the school district."—(*Mr. De Lisle.*)

Question proposed, "That those words be there inserted."

*(5.12.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I certainly hope that this discussion will not last until the dinner hour. My hon. Friend has referred to many matters, and among other things he has told us that the Government have more or less offended their friends in the country by bringing in this Bill. We are, as he knows, proposing to give a fee grant of 10s. per head, and it may be interesting to the hon. Member to know that in the county which he represents the average attendance fee is 9s. 8d. per child. But the more important matter is whether we as practical men should attempt to engraft upon the Bill now before the Committee such a proposal as that made by my hon. Friend. I am well aware that in many quarters much apprehension has been caused by the gradual increase of the School Board rate. It is true that the rate has grown and grown, but under what circumstances? Under a representative system, and a system of triennial School Board elections. Therefore, if the ratepayers are anywhere aggrieved by the expenditure of a School Board they have the remedy in their own hands. I am often asked why the rate is so high in the Metropolis. The reason may be that there are thousands and thousands of ratepayers in London who will not take the trouble to cross the street in order to record their votes at elections. As long as that apathy continues the public can scarcely complain with justice. We cannot, therefore, accept this Amendment.

Question put, and negatived.

(5.15.) MR. T. ELLIS (Merionethshire): I beg to move, after "1876," in line 23, to insert "so much only of." The section as it stands upsets the 17s. 6d. limit in two respects. In the first place, it provides that the money payable under the Bill shall in future be counted as money coming from local sources, and it modifies it in a still larger sense with regard to schools having a fee grant which will exceed the fees accruing to the school in the course of last year. I think that the proposal contained in the Bill is a reactionary and retrograde proposal. The principle of the Act of 1870 was that Parliament should make a grant from the Imperial Exchequer for the purpose of public education equal to the amount raised in the localities for the same purpose. That is a thoroughly sound principle, because it brings a stimulus to bear upon persons in the localities to contribute and to do everything in their power to make education efficient. But that principle was modified by the Act of 1876, with considerable loss to a large number of the working classes and to the Imperial Exchequer. Under the Act of 1870 Local Authorities, whether School Boards or managers, had undoubtedly to make great exertion to comply with the conditions laid down by the Act. But under the Act of 1876 it was not necessary to meet the Parliamentary grant with local contributions until that grant exceeded 17s. 6d. That provision in the Act of 1876 has had a prejudicial effect. In 1876 the amount received as local income in voluntary schools was £1 1s. 1d.; in 1889 it had fallen to 19s. 8d. In 1876 the voluntary subscriptions were 9s. 6d. per child in average attendance; in 1889 they had fallen to 6s. 11d.; and while there has been a considerable decrease in subscriptions, the increase in the fees has been most marked, especially in these districts where there is no School Board. In the interests not only of the voluntary schools, but of education generally, it is desirable that the income from the localities should be kept as high as possible. The noble Lord the Member for Rossendale said that the result of relaxing the old limit of the Act of 1870 would be to turn the voluntary schools practically into denominational and sectarian schools supported almost entirely by the State. Not only have subscriptions decreased under the Act of 1876, but endowments are made to come in aid of local subscriptions, and grants made by the Science and Art Department for drawing have been reckoned as money coming from local sources. That is bad enough, but now we have a proposal that every farthing paid by the Imperial Exchequer is for the future to be regarded as coming from local sources. If the Imperial grant is made greater, we ought to exact greater local effort. It

is unfair by a side wind to upset the limit laid down by the Act of 1876. In a large number of schools there are no voluntary subscriptions whatever, and in 40 per cent. of them the subscriptions amount only to 2s. 6d. per child in average attendance. The effect of passing this section as it stands will be to reduce the amount of subscriptions to a much lower point than they now stand at. I have no special animus against voluntary schools, but I think experience has proved that it is wise to adhere as closely as possible to the principle of the Acts of 1870 and 1876. There are two School Boards in Merionethshire which will make of this fee grant a very large profit; one will receive over £1,000, the other about £600 over and above the fees it now receives. What is true of these School Boards will be true of several schools all over the country. If the Chancellor of the Exchequer were present I would appeal to him as guardian of the Public Purse to make it incumbent upon Board schools and managers of voluntary schools to make some efforts to meet the large and generous grants made to them out of the national Exchequer. With that view I beg to move the Amendment.

Amendment proposed, in page 1, line 23, after "1876," to insert the words "so much only of."—(*Mr. Thomas Ellis.*)

Question proposed, "That those words be there inserted."

(5.30.) MR. A. DYKE ACLAND York, W.R., Rotherham): I think the Vice President and his Department must have had some searchings of heart upon this subject. We have been told that the 17s. 6d. limit would not be disturbed by this clause. You are disturbing it in the most serious way. Prebendary Row, one of the most distinguished authorities on this subject, has said—

"One of its great advantages is that indirectly the 17s. 6d. limit will be abolished for rural schools of the class I am interested in."

I regard that result as hardly fair, and it certainly would have been more satisfactory had this question been left alone. If you are indirectly abolishing the limit, you are doing an unreasonable thing. I know what is going to be said—that you are going to help districts which charge low fees. But in rural districts do not want to see the voluntary contributions reduced in any way whatever. I think we have done a great deal too much in that way. Another important point is, are you justified in this extraordinary process or arrangement, which says that the local resources must be brought up to at least 17s. 6d. in order to meet the Parliamentary grant? You are shovelling out a mass of money from the Treasury, and you are going to give the managers of voluntary schools a grant which for present purposes you will describe as "local resources." You are going to plank down a Parliamentary grant, changing its name to local resources, and thus you will enable the Local Authorities to make up the sum of 17s. 6d. I think this proposal to abolish indirectly the 17s. 6d. limit is an unfair one.

*(5.34.) SIR W. HART DYKE: The hon. Member who introduced this Amendment denounced this proposal in this last sub-section as reactionary and retrograde. Now, my challenge to the hon. Member is, that it is not reactionary if the Education Department does its duty in regard to this extra sum which has been devised. I hope and trust that these proposals will be far more educational in their character than hon. Gentlemen opposite seem to suppose. It will be absolutely impossible for the Department to deal exceptionally with any school; it must secure absolute efficiency in these schools. The principle in which we have proceeded is that there should be some uniform fee grant to be applied to all schools—Board or voluntary, otherwise we would not have been able to get our proposals through the House. It is an incident of our proposal that in certain circumstances the 17s. 6d. limit is varied, but I deny that we are making the alteration by a side wind. Far from its being a retrograde it is a distinctly educational movement. It is urged that it would be an evil thing if certain of the subscribers were to put the balance in their pockets instead of spending it on education. But it is perfectly certain that if managers do that the efficiency of the school would not be maintained, the school would remain in its present position, and the 17s. 6d. limit could not be exceeded. Under all the circumstances, Her Majesty's Government feel bound to maintain this sub-section as it stands, and I

would urge upon hon. Members opposite that after all, if a grievance arises, it can only be in the direction of educational effort, and where the managers spend the extra money on increasing the efficiency of their schools.

(5.39.) MR. MUNDELLA (Sheffield, Brightside): The right hon. Gentleman says that this is really an educational Amendment, by which the extra fees shall be counted as local subscriptions. That is assuming that all the schools to which this applies are already inefficient. But the majority of these schools are not inefficient, and had anyone on this side of the House suggested that they were, no one would have repudiated it more vigorously than the right hon. Gentleman. One friend of mine said he could not make his schools any better, and he would have to spend the money on books for the children. The right hon. Gentleman does not realise what is going to happen; he does not know the extent of the wastefulness and extravagance of his proposal. I feel sure that the Chancellor of the Exchequer, were he here, would know. In hundreds of rural districts this will practically do away with the necessity of voluntary subscriptions. The right hon. Gentleman shakes his head. Take the Isle of Anglesey as an illustration. There are there two small parishes contiguous, with a population of 259, and each with a school at no great distance one from the other, and with fees amounting to 4s. 6d. or 5s. The 10s. grant would leave 6d. or 8d. per head required to maintain the schools. Why were these schools not amalgamated? The reason given in the evidence before the Royal Commission was, because to have done so would have been to lose the extra grant. Last year another £10 was given to each of these small schools, making £20 each which they receive. When this fee grant is paid, the amount paid by the State to these schools will be £2 2s. for every child. That will be done in hundreds and thousands of instances, wherever there are small schools, and you are doing away practically, in these cases, with the necessity for voluntary subscriptions. An article, written by one of the most able men in England, appears in the *Contemporary Review*, and it shows that in Somersetshire a number of schools already receiving £1 11s. per child will have an additional 10s., making £2 1s. per child. The right hon. Gentlemen (Mr. W. H. Smith) was in this House when the raising of the limit to 17s. 6d. was so strongly contested, and no one was more urgent against it than the Chancellor of the Exchequer. Mr. Forster declared that the raising of the limit from 15s. to 17s. 6d. was a breach of the compromise made in 1870, and held himself at liberty, therefore, to take a new line. I believe the Chancellor of the Exchequer before he is two or three years older will find that this money is being wasted, and not spent in promoting the efficiency of education; he will see, by reason of the laxity of some of the provisions of the last Code, and by the laxity of the Department's administration, wastefulness and extravagance in the application of this money.

*(5.45.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Sir, the right hon. Gentleman is usually fair in his remarks, but he seems, in the remarks he made about the Isle of Anglesey, to have forgotten that 8d. per head would only be required in aid of the 10s. in order to carry on the schools.

MR. MUNDELLA: In addition to the 10s.

*MR. W. H. SMITH: What chance is there of the 17s. 6d. limit being exceeded, seeing that the difference is to be met by local resources?

MR. MUNDELLA: Of course, in the Isle of Anglesey it will simply abolish voluntary subscriptions altogether.

*MR. W. H. SMITH: It will not abolish voluntary subscriptions altogether, but in cases where the subscriptions are 10s., 12s., or 14s., they will come down to a lower amount. I have taken the right hon. Gentleman's own example of the operation of this subsection to show how utterly impossible it is that it can have the injurious consequences anticipated. When the right hon. Gentleman referred to the recent additional grant, I do not think he had in his mind the Code, which provides that where there is no elementary school within a certain distance of a population, the Department may make a special grant in addition to the ordinary grants, amounting, if the said population exceeds 200, to £10; and if it does not exceed

200, to £15. If the Department does its duty it has constant power of revision which would result in the withdrawal of the special grants if they were found to be no longer necessary. The proposal comes to this: In the districts where the fees have been exceptionally low—in sympathy with poor parents, and in order to get the children to school, subscribers having put their hands in their pockets—it is felt that such towns or districts should not be penalised for their past efforts in the cause of education by putting them under exceptional disadvantages, as compared with those places where the school fees for the parents have been maintained nearly level with the cost of the school. If the Educational Department does its duty—and it is a department which has never, and I hope never will, be filled by political influence, and may be confidently expected to do its duty in the future as in the past—no part of this 10s. grant will go back to the pockets of subscribers, save where exceptional sacrifices have been made. This proposal, after all, will do nothing more than contribute to the efficiency of education. We believe the provision to be fair and reasonable, but if you begin to take individual instances, then you will make any Bill of this kind impossible. If we give the fee grant all round, it will not in our judgment, endanger the Exchequer, so far as any wasteful expenditure is concerned, and it will greatly increase the efficiency of education in elementary schools.

COLONEL NOLAN (Galway, N.): I think this Amendment will seriously injure the voluntary schools in very poor districts. Low fees, and no fees, have often been charged, in order to get the children to school. In this country a very large number of Roman Catholic schools are in that position, and if this Amendment were passed a very considerable sum of money would be taken away from several of the Roman Catholic schools. The money to be given under this Bill is to be reckoned as *bonâ fide* school pence, and if you tamper with that principle, you will destroy the poor schools in Ireland.

*(6.0.) MR. SUMMERS (Huddersfield): Reference has been made to the grant to schools for small populations. If the right hon. Gentleman will read Article 107 of the Code he will see these grants are excluded from the calculation altogether.

*SIR W. HART DYKE assented.

MR. MUNDELLA: Does the right hon. Gentleman question the accuracy of my statement that these schools will receive more than £2 per child?

*SIR W. HART DYKE: The Department has the power, looking to all the circumstances, to withdraw the grants under Articles 104 and 105 of the Code.

*MR. SUMMERS: There is another point I wish to draw attention to. Suppose a case where the fees are now 7s. and the subscriptions 12s. As the law now stands, that school will be able to receive a grant of 7s., plus 12s., that is, 19s. What are you now proposing? You propose to substitute for this 7s. a 10s. fee grant, so that when this Bill becomes law the school will be able to receive a grant of 10s., plus 12s., or 22s., instead of 19s. The school will get 3s. extra by the substitution of the 10s. fee grant for the 7s. now provided by way of fees, and it will get another 3s. under the present sub-section. In other words, it will receive payment of the money twice over.

*MR. W. H. SMITH: For results.

*(6.2.) MR. F. S. POWELL (Wigan): The framer of this Amendment appears to have had no regard whatever for the growth of the schools. The growth of schools in our manufacturing districts will largely increase, while this provision makes the previous fee a fixed charge That, I think, is in itself a grave objection to this proviso. Having desired for a long time that there should be some modification of the 17s. 6d. limit, I cannot at all regret the proposal which will in some degree modify the severity of that condition. I was somewhat surprised to hear the right hon. Gentleman the Member for Sheffield speak of schools as being thoroughly efficient. I thought his view was that perfect efficiency could not exist in a school, that no school in this or any other country could be so perfect that no improvement could take place. I think that any pressure which will increase the efficiency of a school is wholesome.

MR. MUNDELLA: "Thoroughly efficient" is well understood in the Department. When a school is thoroughly efficient you cannot ask more.

*MR. F. S. POWELL: It may be efficient within the requirements of the Department, but it still may be capable of improvement.

*(6.5.) MR. ROBY (Lancashire, S.E., Eccles): If we wish to increase the amount schools may earn why should we not do it fairly for all? Why should we do it in the most extraordinary and exceptional way suggested? Take the case of a place like Birmingham, which cannot be regarded as a poor place. The amount of school pence there is 5s. 6¾d. a head. The Government propose to give the schools there 4s. 6d. per child more, and then, under the guise of a clause intended to limit the Imperial Grant to the amount of the local resources, they say the Birmingham schools shall have the right to earn 4s. 6d. more than other schools. What possible justification is there for such a proposal? Under no system of reasoning that the Government can adopt can they make out that the increase of 4s. 6d. is a reason why they should increase the power of the Birmingham schools to earn a larger grant than the schools in the North of England. If the Government persist in this matter, I hope they will favour the House with an estimate of what the additional cost to the Imperial Treasury will be. Yesterday they refused to grant £3,000 in respect of evening schools, and now they are propounding a scheme for spending an indefinable amount.

MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): The First Lord of the Treasury admits that a larger grant may be obtained from the Imperial Treasury under this new process, but says it will be only as result of merit. Take the case put by the hon. Member for Huddersfield—the case where the subscriptions amount to 12s. and the fees to 7s. There is a total local contribution of 19s. Under the present Code if the school earns 22s. it is not allowed to get 22s., but only 19s, because the locality has only contributed 19s. The objection now taken is that the 19s., without any real increase in the local contributions, is converted into 22s. The 12s. local contribution remains exactly the same, but the 7s. fee is converted—nominally and fictitiously converted—into 10s.

*(6.10.) MR. J. POWELL WILLIAMS (Birmingham, S.): I do not know whether the hon. Member attaches importance to the figures relating to Birmingham which he has cited, but those figures do not happen to be accurate. The figures the hon. Gentleman quoted, namely, 5s. 6¾d. per child, are the figures of the Board schools in Birmingham. The fees in the voluntary schools of Birmingham amount to 9s. 9¾d. per head. As I understand the hon. Member's argument, the hon. Gentleman has some fear lest there should go into the hands of the subscribers to the voluntary schools, through a process which has been elaborately explained, some of the funds to be given under the Bill. It must be admitted that it has been shown that the new system may, under certain circumstances and in certain cases, be liable to considerable abuse; but, as I take it, it is the office of Her Majesty's Government to prevent abuse. [*Opposition cries of* "No!"] Additional supervision exercised on behalf of the Department, and the claim which the Department can make to have additional efficiency in the schools, will prevent abuse taking place. No doubt the Bill will throw a great deal of additional responsibility upon the Education Department. All those places which have hitherto been accepted by the Department for inefficiency—namely, poverty and the like—will be swept away, and it will be the duty of the Department to see that efficiency is thoroughly maintained in accordance with the resources which the schools have at their disposal. Under the circumstances, it seems to me we may safely trust the Department to prevent the abuses which have been so carefully explained to the Committee.

*MR. ROBY: When I made my former remarks I had not the voluntary subscribers in mind. I pointed out that the Board schools in Birmingham receive now in school pence 5s. 6¾d. per child. The Government now propose to give them 4s. 6d. per child more, and in virtue of that 4s. 6d. more, the Birmingham schools will have the right to earn from the Imperial Treasury 4s. 6d. more than other schools which are not so situated. The 4s. 6d. is given freely, and it may be used well; but why should it enable Birmingham to get another 4s. 6d.? Birmingham will

practically get 9s. In Manchester we shall not get 9s., but have to pay a good deal more. I think the proposal is utterly indefensible and unreasonable.

*(6.15.) MR. W. H. SMITH: Birmingham has charged a low fee, and Manchester has charged a high fee. Is it contended that Birmingham is not to have the advantage of the 10s. grant in regard to the 17s. 6d. limit because it has paid out of the pockets of its ratepayers the difference between 4s. 6d. and 10s., or, as in the case of Manchester, 14s.? It would be most unfair to Birmingham to deprive it of the advantage of the difference between the 4s. 6d. and 10s. If Birmingham has made great sacrifices in the past, it ought not in consequence to be penalised in the future.

MR. H. H. FOWLER (Wolverhampton, E.): I will not go into the question as between Birmingham and Manchester, although I entirely agree with my hon. Friend the Member for Eccles as to the discrepancy. I rise to ask the First Lord of the Treasury whether the Government have made any calculation as to the amount which this matter will involve. At present the grant is in round figures £3,250,000, and that represents an average grant of 17s. 8d. If you are going to add 4s. to that grant—[*Cries of* "No!"]—well, I do not say you are, but I want the Committee to realise that to add something like 4s. to the grant would be an addition of something like £800,000. If you add 1s. to the grant, there will be a considerable addition. If the Vice President of the Council will give us some stronger assurance than he has hitherto given us on this point, he will remove some of the regret we shall feel in being beaten in the forthcoming Division. I think we have a right to ask that if there is a surplus it shall be spent in improving the efficiency of the school.

*SIR W. HART DYKE: The Department has not the date for any accurate estimate with regard to the effect of this proposal, nor do I think there is much in the past to judge by. The deductions have up to this date not amounted to more than £36,000, but I think the cost of the proposal will not amount to anything like that sum.

MR. BARTLEY (Islington, N.): I think it will be found that this clause means a great deal more than an expenditure of £36,000. Certainly some means should be taken to increase the efficiency of the schools.

(6.22.) The Committee divided:—Ayes 115; Noes 218.—(Div. List, No. 318.)

(6.39.) MR. T. ELLIS: I am sure the right hon. Gentleman will be willing to adopt the Amendment I have now to propose. I do not think much argument is required to establish my point that there is no Department from which we ought to have fuller statistics than the Education Department, and yet the information we do get is really not nearly so full as that we get in relation to other Departments, and which is not so interesting to Members of the House and the great mass of the people. Taking up my Parliamentary Papers recently, I found among them the most exhaustive information in reference to police expenditure; the fullest information about the cost of police clothing in every county and borough, for instance. Now, it seems to me that when we are making this large grant of £2,000,000, and coupling with it certain conditions as to the amount to be contributed by local effort, we may expect that full accounts should be rendered to Parliament.

Amendment proposed,

In page 1, after line 25, to add:—"(4) The Education Department shall report annually to Parliament the amount of fee grant paid to each school during the year, and the amount of rates raised or voluntary subscriptions contributed towards the expense of such school."—(*Mr. T. Ellis.*)

Question proposed, "That those words be there inserted."

*SIR W. HART DYKE: I hope the hon. Member will not think it necessary to press this. The annual Report now gives very full information, and such an addition as this will add very considerably to expense, labour, and delay.

MR. MUNDELLA: I think my hon. Friend would be justified in pressing this. I should have thought the right hon. Gentleman would have at once agreed to give these details. The Department have the information, and I think there would be no difficulty in giving these particulars. In relation to this large grant I think we ought to

demand this, and I think if the right hon. Gentleman consults the heads of the Department he will find there will be no difficulty.

*MR. W. H. SMITH: There would be no difficulty in including this if it is as easy to do so as the right hon. Gentleman imagines, but I think at any rate it should be left to the Department and not imposed by statutory obligation. It may have the result of delaying the Report, the production of which is desired as early as possible. There would be no difficulty in furnishing the information from time to time in the form of a Return, but I do not think it is desirable to make it a statutory obligation.

MR. MUNDELLA: I recognise the desire of the right hon. Gentleman to meet our wishes, but I can assure him that the accounts being regularly made up there would be no difficulty or delay about it.

*MR. W. H. SMITH: If that is so, then the Department will be ready to give it in the form of a Return.

MR. A. DYKE ACLAND: Will the right hon. Gentleman accept the Amendment substituting the word "may" for "shall," making it a direction to the Department? It will really be only bringing our educational statistics up to the level of those supplied in other countries. If we can have the information in a Return there cannot be much difficulty in including it in the Report.

*MR. W. H. SMITH: To use the word "may" will not carry the matter beyond where it is now. We may do it now. But I do not think we are justified in declaring it shall be done.

MR. T. ELLIS: I urge this, because it is often very difficult to obtain required information if we do not happen to have moved for a Return. From time to time separate Returns are moved for and prove very useful. For instance, there is the Return granted on the Motion of my right hon. Friend (Mr. Mundella) which has been of extraordinary value during the discussions upon this Bill. I desire that instead of increasing the bulk and number of Returns we should have the information included in the Report by the simple addition of a column. I am willing to alter the word "shall" to "may" as indicating that the House expects the information.

*MR. HOBHOUSE (Somerset, E.): I think there should be no difficulty in giving this information, but I do not see the advantage of inserting the word "may." We may be satisfied, I think, with the promise of the right hon. Gentleman. I am sure he will give an undertaking that it shall, if possible, be included in the Annual Report, and so individual Members will be released from the necessity of moving for it as a Return.

*MR. W. H. SMITH: I will certainly endeavour to give the information desired. I will not give a definite pledge; but certainly the endeavour shall be made.

MR. MUNDELLA: I am sure the Vice President will see that it will be far more convenient and very little extra expense to include this in the Report; it is simply the addition of another column.

*SIR W. HART DYKE: But there is a difference in inserting this as a direction in the Bill.

Amendment, by leave, withdrawn.

Question proposed, "That the Clause, as amended, stand part of the Bill."

(6.45.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I should like to ask the Vice President a question in relation to the decision we arrived at the other night—the assent of the Government to the proposition that the grant of 10s. shall extend to children between the ages of three and five. The acceptance of the proposal by the Government was rather sprung upon the Committee, and there was no discussion at the time. The fees for infants are at present generally very much less than the fees paid for older children. The average fee is about 2d. a week. By granting 10s. in respect of infants I calculate that £60,000 will go as an additional subsidy to the Board and voluntary schools, and that £40,000 out of the £60,000 will go to the latter. I wish to know whether the Vice President of the Council will consider the advisability of reducing the grant from 10s. to 7s. or 7s. 6d. I do not think that we ought to vote away recklessly so large a sum as £60,000. The educational needs of the infants may

be met by a smaller sum than is necessary for the older children.

*(6.48.) SIR L. PLAYFAIR (Leeds, S.): Before we leave this clause there is a point upon which it would be well to have information. I think my right hon. Friend will find, if he looks into the operation of Section 3 of the clause we are now about to pass, that it will land us in much greater expenditure than he seems to anticipate. It will be observed that while the limit in Manchester and other places in the North will be 17s. 6d., Birmingham will be 22s., Bristol 21s., London 20s. 2d., and so on with other towns, and in some cases I think there will be surprise at the expenditure that will result. I trust that before the Report stage a reliable estimate will be prepared showing what will be the exact effect of this clause upon the taxation of the country. The country ought to have the information with as little delay as possible.

*SIR W. HART DYKE: Yes, I think it is due to hon. Members that they should have this information. The matter is being gone into thoroughly, and I engage before the Report stage is taken to see whether an estimate can be given. The point raised as to infants' fees shall also receive careful consideration. There was no indication the other night of a desire that the grant in respect to infants should be varied, and I am afraid if I had suggested it at the time that suggestion would have met with strong opposition.

(6.50.) MR. PICTON (Leicester): I hope we shall be very careful about reducing the infants' grant. There is a difficulty now about obtaining skilled teachers for children under five. As to the additional grants to voluntary schools, I have now thrown away all scruples on the subject. We are engaged in demolishing the voluntary system, and may as well carry the demolition as far as possible. I shall offer no further opposition to grants to these schools, being certain that when a rational Government come into power they will take care that institutions altogether supported by public money shall also be subjected to public control.

*MR. G. W. BALFOUR (Leeds, Central): I sincerely trust the Government will not yield to the suggestion of the hon. Member for Poplar with reference to the infant fee grant. The average of 10s. was arrived at by taking the fees charged for all children. This figure is too low, as I have already taken occasion to point out; but if the children under five are exempted from the calculation the proposed fee grant will be still more unfair than it is now.

*MR. ROBY: Do I understand that under the clause there will be different limits in different parts of the country? In the North of England there will be a 17s. 6d. limit, while in Birmingham there will be a 22s. limit, in Bristol a 21s. limit, and in London a 20s. 2d. limit.

*MR. W. H. SMITH: I really think it will be perfectly possible for Manchester or Liverpool or any other town to earn quite as much as Birmingham.

(6.52.) MR. JESSE COLLINGS (Birmingham, Bordesley): If there is any difficulty on the point, towns have only to raise the School Rate as Birmingham has done, and then they will earn an equal amount. What some hon. Members apparently want is to get money from the State with the object of sparing the ratepayers. But I rose simply to make an appeal to the right hon. Gentleman not to consent to the suggestion to entertain a lower grant in respect to infants. The grant is to cover the average on all grades, and it is desirable that the education of infants should be conducted on the best plan, and the most recent improvements in the Kindergarten system should be carried out; but it is an expensive system. We do not want the infant schools simply converted into nurseries, and money is well spent in laying the groundwork for the future teaching the children will receive, and the subsequent teaching becomes of double value from the early training. I hope, therefore, there will be no thought of reducing the amount of the fee grant.

*COLONEL BLUNDELL (Lancashire, S.W., Ince): I trust the Government will not agree to the suggestion. The greatest effort will have to be made to meet the change, and it is represented to me by those interested in education in my constituency that the amount of

the fee grant will fall short of the amount raised by fees by about 3s. 1d. per scholar, and the fee grant is met by the grant from the Education Department. Large sums, therefore, will have to be provided from somewhere.

*(6.55.) MR. WOODALL (Hanley): Speaking from considerable experience in reference to School Boards, I can say that there will be no hesitation in asking for an additional 1d. in the £1 from the ratepayers. But I think that under the clause as it stands, districts where the school fees are now high in fees will be penalised as compared with other districts where the schools have been conducted on a low-fee system. In some districts ratepayers will have to pay another 1d. in the £1 to carry out the Act, while another district, where a different education is being provided, will be privileged in the competition, and make a profit out of the transaction, as the result of the policy hitherto pursued. I am perfectly satisfied that when they have fully realised the situation the Education Department will recognise the obvious unfairness of the arrangement, and will guard against the danger which has been indicated by the hon. Member for Eccles.

(6.59.) MR. ILLINGWORTH (Bradford, W.): At the present time there are 11,766 voluntary schools without subscriptions, and yet have all the denominational advantages, and the number under the operation of the clause the number will probably be doubled. The condition of things to which we are coming is, that we shall be handing over to certain high-minded gentlemen interested in religion or with other pretensions, State Subventions for the carrying on of public educational institutions, in the management of which the public will have no control. These are institutions in which the people of this land are more interested than in almost any other institutions. I want to know where the system is to end. At this moment, as we have heard, there are about 40 per cent. of denominational schools where the subscriptions are only 2s. 6d. That amount will be increased, and I only want to point out to the country a fact pregnant with meaning, namely, the mischief that will be involved in handing over half the elementary education system of this country to persons who have no manner of claim to the exclusive control of that system. I have no hope of any modification in the Bill in the direction I desire, but I make this statement to reserve the right at a future time of insisting upon a more complete system of control by the taxpayers over the elementary educational system of the country.

Question put, and agreed to.

Clause 2.

*(7.5.) MR. CHANNING (Northampton, E.): The Amendment I now beg to move must be taken in connection with two other Amendments that stand in my name, namely, in line 9, to leave out "except as by this Act provided," and then to leave out Sub-section 2. The object of the Amendment, which I at once admit is of a sweeping character, is to provide that where schools do come under this Act and wish to make themselves free they shall be really free from top to bottom, and permanently so. I do not intend to deal with the Amendment at any length, but I wish to say that the essential principle of the Liberal creed upon free education is bound up in this Amendment. We are determined not to go in for a free education which shall permit the charging of a fee in schools which receive the fee grant. The Liberal Party go in for the genuine article, absolutely free education, which I believe the people of this country demand. It will be said that this Amendment will affect the high-fee denominational schools in the North of England. That consideration does not weigh with me. I shall be exceedingly glad if the result of accepting the Amendment would be to stimulate the subscribers to high-fee schools in the North of England to come up to the standard of subscribers in other parts of the country, such as the County of Somerset, to which reference has been made, and to make them put down their cash if they wish to retain the control of the schools. I trust, however, that these schools will be absorbed into the organisation of the School Board system, and then practically there will be no limit to the funds for education, as they will be supplemented out of the rates. I have put down the Amendment, because I have said every time I have addressed my constituents that

what the Liberal Party was going for was genuine free education, and not one of a stunted and limited nature.

Amendment proposed, in page 2, line 1, to leave out from the word "grant," to the word "no," in line 9.—(*Mr. Channing.*)

Question proposed, "That the words 'Where the' stand part of the Clause."

*(7.10.) SIR G. TREVELYAN (Glasgow, Bridgeton): I am afraid that the most sanguine controversialist could not possibly hope that the Government would accept this Amendment, nor did I put it down on the Paper in any such hope, but I think that at this point it is most important to call the attention of the Committee to the extremely peculiar working of the Bill, and to ask some rather pressing questions of the Government. Now I humbly think that the Government have not taken the most judicious course in giving free education to the country. They would more wisely have adopted the principle of the Scotch measure, that in every school which accepts the fee grant education is thenceforth to be entirely free. The Government have not adopted that principle. I would here refer the Committee to the 3rd sub-section of Clause 3, by far the most important part of the Bill. It is by the operation of that sub-section that free education will be swiftly or gradually spread over England and Wales. And I want to call the attention of the Government to the extreme difficulty that will ensue by this indirect mode of progression, and to ask my right hon. Friend opposite what the process is by which the great benefit of free education will be given over a large part of the country? We know that in five-sixths of the schools with comparatively small attendance, in the south country schools, the Welsh schools, and the Board schools for the most part, by the automatic operation of the Bill, education will become entirely free. In Northumberland, Cumberland, and part of Durham the condition of the country schools is this—the fees are very high because wages are high and the parents well off, and in many cases the education is extremely good. What will happen in these places? Managers who can afford it will at once make the school free, first, because it is the intention of Parliament to give free education, and, secondly, because if they still retain a 2d. or even a 1d. fee their poorer neighbours will be in a satisfactory position to demand that the school shall be made free. I cannot imagine that anyone who wishes to maintain the relations that ought to exist between the managers of schools in the country and their poorer neighbours would desire that they should have a hold over him which they forbear from exercising, or that they should exercise it and extort from him that free education that they ought to give. This may not be the case in connection with most schools. In these schools with high fees the managers are very often country clergymen not very well off, and if the landlords, who may or may not be well off, are not willing to give any higher subscription, the state of things will be that the parents will have to pay a 1d., 2d., or 3d. fee unless they choose to put the Education Department in motion. What does putting the Education Department in motion mean? A curious light is thrown on that subject this morning by the excellent Report of Convocation in the *Times*. The whole subject was admirably discussed by the Bishop of London, who was complimented at the end on the great knowledge that he showed. Some of his observations were very remarkable and interesting. How is the Education Board to be put in motion in order that these people in these remote villages may get the benefit of free education? Do not hon. Members know enough of some country villages to know that it is a very serious matter for agricultural labourers to apply to the Department to the detriment of a country clergyman in order that the managers may take upon their shoulders the burden of maintaining these schools, and that the schools may be free. What did the Bishop of London say? He said—

> "He wanted to know how the localities were to express their wishes. Was it to be done by the parents themselves, or by busy bodies who were to formulate the wants of other people."

The Bishop of London is a very kind man, and I do not think he quite knew what a very strong thing this was to say. The "busy body" would be probably some sterling man of the middle class who was not afraid of anyone in the

village, and it might be only through him that the parents in these remote villages would often be able to express their wants. I must say I think it is to be deeply regretted that this most disagreeable cause of dissension in the country villages was not removed by the Government taking the course which was taken in Scotland, and saying—"Parliament has given £2,000,000 at least for the purpose of giving the country free education, and free education it shall have from the northernmost point of Northumberland to the southernmost point of Cornwall." There is another class of schools which exercise the minds of hon. Gentlemen opposite, namely, those schools in North Country towns in which the fees are very high and the subscriptions very low. There is a North Country town in which, putting aside the Roman Catholic schools, the Church schools, with 3,600 children, receive £3,450 in fees and £192 in subscriptions. Now, just imagine what that means if free education is to be given in this town. It means that even if you retain one or two schools for people who are willing to pay special fees, at least seven times as much subscriptions as are received now will have to be raised, and then see the process by which free places will be found in these schools. I saw to-day a resolution passed by the managers of the voluntary schools in Sheffield, and I entirely agree with it. They said, in effect, that the compulsory provision of school accommodation without fees in any school district would keep the system of adequate school provision in a chronic state of unsettlement. Well, that is the very least you can say. These schools, it seems to me, will be in the unpleasant position of feeling that the Department may come down on one or other of them at its will, and say, "You must provide free places." They would answer, "Oh, but there is no reason why you should fix on my school," and the Department would reply, "You must find free places somewhere." I believe that there will be the greatest amount of uneasiness, confusion, and friction caused by the desire of each school to maintain its position as a high-fee school, while the Department will be bound to find a certain amount of free accommodation. I hope the Department will take steps to see that in those schools where the fee rises according to a standard that such a system shall not be continued in any school which receives the fee grant. I regret that the boon of free education is not given by the Bill in the direct way in which it has been given in the case of Scotland. Hon. Members have made speeches which can only prove that there still remains in their minds the idea that, after all, it is a good thing that people should pay fees. If that is the case we ought not to have had this Bill. It is because, among other things, it keeps up that notion that I am sorry we have the Bill in this shape. Considering that this is the turning point of the Bill, that this is the actual process by which free education is going to be given, I think we should have a very clear explanation from the Government of the process by which, in these two cases of rural districts and towns without School Boards, the process is to be carried out.

*(7.21.) SIR W. HART DYKE: The right hon. Gentleman has intimated that he does not intend that a Division should take place with regard to this Amendment. Whether that be so or not, I think the points he has raised are fair points to urge, although I feel bound to throw out a suggestion that the speech of my right hon. Friend was rather more a speech against the Second Reading of the Bill than one to be made in Committee, and it rather surprised me, after the many speeches that have been made by right hon. Colleagues of his in favour of the Second Reading. The hon. Member who moved the Amendment said he did so in favour of an absolutely free system of education. I have before now defended the system adopted in the Bill. I believe it will be found to be a fair and just system, and one which will maintain the best elements in our present schools, among others the preservation of fees. I believe that nothing would be more fatal to education in this country than the entire abolition of fees, because one effect of such an abolition would be the establishment of a vast number of private adventure schools, practically in many cases without control. I believe the right hon. Gentleman will find that not only in the vast majority of the agricultural districts of England and

Wales, but also in a large number of our large towns, a considerable number of schools will become free directly the Bill passes. Reference has been made to the high-fee schools in Northumberland and Durham. In the mining districts of Northumberland and Durham there is a system called "poundage"—that is to say, a deduction is made from the wages of the miner and supplemented by a payment from his employer. This deduction is included in the column of fees, and so accounts for the apparently high total. I am of opinion that no hardship will result from the Bill in these districts, and that a mining population which is content to pay a high fee by means of deduction from wages in order to maintain the efficiency of the schools will be perfectly willing still to submit to a deduction, minus the 10s. grant. I have been pressed as to what will happen in the case of parents who wish to have free schools. That question will, I think, be better discussed under Sub-section 3 of Clause 3. I do not think, however, that there is any village in England or Wales, however remote, where the tiniest possible grievance that may arise with regard to education may not be brought within a few hours and with perfect facility under the notice of the Education Department. Gentlemen opposite would be perfectly astounded if they saw the great masses of correspondence with the Education Department dealing with the tiniest difficulties and the smallest details of school life. The right hon. Gentleman and the Mover of the Amendment have urged that we are travelling on wrong lines, and that we should have abolished fees altogether. I have already alluded to one point in regard to which I think such a thing would be most disastrous to the cause of education, but there is another consideration of almost equal importance. The immediate result of free schools everywhere would be the absolute destruction of all high-fee schools, and I should like to know where the money is to come from in order to give effect to such a project. It is all very well for Members to urge that the buildings will be handed over to Board schools, but I can assure them that nothing of the kind will happen. The Amendment and the speech of my right hon. Friend point to proposals that we think would be disastrous to the cause of education, and that would result in an enormous demand being made on the taxpayer.

(7.30.) MR. SYDNEY BUXTON: This is a somewhat particular point, and I may say in regard to it that some of us on this side of the House do not see the necessity of dividing on the Amendment, because we believe it will not be long before we shall be enabled to establish "this hateful system of universal free schools" to which the right hon. Gentleman seems to object. The First Lord of the Treasury seems to think that 83 per cent. of the whole of the schools will be at once free, and under Clause 3 we shall have a strong lever which will enable us to create a great breach in the wall surrounding those schools which still charge high fees, and very rapidly it will result, I think, in the freeing of the voluntary schools as well. The Vice President of the Council has argued that you do not want a universal system of free School Boards, which he thinks will be the ruin of the private adventure schools, but there can be no doubt that a number of those schools would still remain, although, probably, the number would not be very large. They would exist in certain parts of the country, but, speaking generally, throughout the entire Kingdom, we shall have established a universal system of free schools accompanied by all the evils which the Vice President of the Council has pointed out. The right hon. Gentleman spoke of schools in Lancashire and Yorkshire and other parts of the country where he seemed to think parents liked to pay high fees. I think if he were to look further into the matter he would find that the reason why the fees are high is because the subscriptions are low. The operation of this Bill, in my opinion, will be this: that the parents will have the choice of sending their children to the free schools or of continuing to pay those high fees in the voluntary schools, and that I think is quite sufficient for our present purpose.

*(7.35.) MR. SUMMERS: I would remind the Committee that when this Bill was first introduced the hon. Member for Poplar denounced the system of fining down, and protested against the scheme of the Govern-

ment as imperfect and insufficient. The right hon. Gentleman the Vice President of the Council says he does not wish to see a universal free system in this country. And the Mover of the Amendment does not wish that. We have already passed an Amendment allowing any school, the managers of which may choose to do so, to keep itself outside the Bill. We say, in point of fact, if you accept the fee grant you ought to become a free school. The right hon. Gentleman says he wants high grade schools, but high grade schools and high feed schools are not synonymous terms. The high feed schools in the North of England are not high grade schools, and the education which is given in them is not nearly so good as that which is given in the School Board schools of Birmingham. What we protest against is the wasteful plan of the Government in giving a system of free education to the country. The Chancellor of the Exchequer has told us that the result of passing this Bill will be an addition next year to the taxation of the country amounting to £1,880,000 for England alone. What is the total amount of the fees? They are almost precisely the same amount, namely, £1,885,000. This sum of money ought to give us free education in all our public elementary schools. As a matter of fact, however, it will only give us free education in 80 per cent. of them. I think, therefore, it will be seen that this is a wasteful grant, and for my own part I cordially support the proposal of my hon. Friend.

*(7.40.) MR. S. SMITH (Flintshire): I cannot altogether agree with this Amendment. In many of our large cities there are parents who send their children to elementary schools, and who prefer to pay some small fee. At the same time, in all these large towns there is a residuum of the population, in some cases numbering many thousands, who are not fit to associate with the children of respectable parents. [*Cries of* "Oh, oh!"] Hon. Members may cry "Oh, oh;" but I myself have seen many of them, and I think there are few hon. Members in this House who cannot corroborate my statement. It is not right to take the children of drunken and dissolute parents, accustomed to all kinds of disreputable language, and to place them among the children of the respectable artizan class. This is no imaginary evil. At any rate, it is one which is well known to myself. I have been connected with a very poor Sunday school, in which something like 1,000 children have been trained, for the last 10 years, and I know the corrupting and contaminating effects of mixing up children coming from the lowest dens and accustomed to the foulest language and the most vicious habits with the children of respectable parents. Therefore, I think some choice ought to be offered to parents by allowing them to send their children to schools in which small fees are charged.

*(7.44.) MR. WOODALL: I do not think that my hon. Friend realises the full effect of his argument, which is that in certain towns there is a particular class of the population who ought not to be allowed to send their children to the schools in which children of the respectable working class are receiving their elementary education. Happily in my own country we have no such class as the hon. Member has alluded to. But what is the effect of the argument of my hon. Friend. It is that the children of the small shopkeepers and the lower middle-class by paying an extra fee may be saved from the contamination he has described, and while the children of the decent working man would be compelled to mix with the children of that particular class. I think it is important that this difficulty, if it does exist, should be grappled with, but it ought to be done by a process of separation and insistance on certain sanitary conditions which would obviate my hon. Friend's difficulty. Upon the general question now before the Committee, I am of opinion that for a time at least it may be expedient to allow the special fee to be charged. The higher elementary school system is experimental, very hopeful, and likely to be very useful, and I think that the children of the upper working class and the small shopkeeping class ought to be able, if their parents desire it, to obtain a higher class of education on the payment of higher fees. At the same time, I am quite certain that if hon. Gentlemen support these proposals of the Government under the impression that any system of fees of this kind can be

more than temporary they are mistaken. The experience of every country which has adopted free education is uniform and conclusive. If we are to follow the example which has been set in Switzerland, Belgium, France, and the United States of America, we shall provide a system of education in such a way and at such a cost as will leave no difficulty to be overcome by those who desire not only to perfect themselves in elementary subjects, but who are intent on continuing their studies in the very highest.

(7.48.) MR. H. J. WILSON (York, W.R., Holmfirth): This is not the first time I have heard my hon. Friend the Member for Flintshire make the extraordinary charges and allegations he has just given utterance to against a certain class of the population of our towns, in connection with the elementary system of education. Doubtless he is quite right in speaking of that which he himself knows, and probably what he has described may be the case in the City of Liverpool. Indeed, from the information I have with regard to Liverpool, I am led to believe that there is some foundation for the statement he has made; but I deny that the same state of things exists to any considerable extent throughout the country. I am quite sure that in the town of Birmingham that state of things does not exist. I have the authority of the clerk of the School Board for this, and I speak in the presence of my hon. Friend the Chairman of that Board. The dirty and neglected children to whom allusion is made are not allowed to go to the schools in a dirty condition. They are sent back to be made tidy, and by-and-bye the example they have put before them in the case of the other children with whom they mix has a marked effect upon them, so that the state of things my hon. Friend describes does not continue to exist. I am informed by a friend of mine who is a Nonconformist minister living in London, and one of the managers of several Board schools, that my hon. Friend's observations are not justified by the state of affairs in the London Board schools. This minister has sent his own children to a London Board school, and previously to a denominational school (in a quiet, clean, country town), where the fee was 9d., and he has had no more cause to complain in the one case than in the other. The Chancellor of the Exchequer said the other day that none of us would send our children to Board schools. I may be allowed to inform the right hon. Gentleman that I have sent my own children to a Board school at Sheffield. From the best inquiry I could make, I was satisfied that it was for them, at their age, the best course to pursue for their benefit. The school selected, on account of its reputation, was, as a matter of fact, in one of the poorest parts of Sheffield. I have also had experience with my children in other schools of a very different kind and at a very different cost, and I tell the hon. Member for Flintshire that I have had no more cause for complaint in one school than in the other, either in regard to vermin or skin diseases or the bad language which he alleges is used by certain classes of the children. I will admit that in the Sheffield school the children speak with a Sheffield dialect, but there are a great many other people who speak with a provincial accent. Nevertheless, with regard to the language used in this Sheffield Board school and its general tone, I may say that it contrasted very favourably with the language and tone of other schools. Therefore, I trust that when my hon. Friend again urges this point upon the attention of the Committee he will confine his illustration to the City of Liverpool, and not endeavour to make it applicable to the rest of the Kingdom.

*MR. W. H. SMITH: I desire to make an appeal to the Committee. The present proposal is not one which is conducive to the passing of the Bill. If there is a desire to take a Division on the Amendment, the Government are prepared to do so. At any rate, I believe the Committee as a whole are desirous to make progress, and I think there has been sufficient discussion on the present Amendment.

*MR. CHANNING: I must ask the Committee to go to a Division on this point, as it accentuates the position which we originally took.

(7.55.) The Committee divided:—Ayes 106; Noes 48.—(Div. List, No. 319.)

*(8.4.) SIR W. HART DYKE: I must ask the permission of the Committee to

explain a few Amendments which I have on the Paper. They are rendered necessary by the fact that the latter portion of the clause is not sufficiently elastic in its terms, and therefore I propose to omit the words "amount received in," and to insert in lieu thereof "average rate of fees received." If we allow the sum to be stereotyped, as it is in this clause, the result would be that in the case of a school accepting the grant and continuing to charge fees, if there were a large accession of numbers it would not be possible to charge *pro ratâ*. The point will equally apply if there is a large reduction, so that it will touch both ways. I propose to remedy this defect by inserting the words in the Amendment, and it will, of course, be necessary to make some consequential Amendments.

Amendment proposed, in page 2, line 2, to leave out "amount received in," and insert "average rate of."—(*Sir W. Hart Dyke.*)

MR. MUNDELLA: It seems to me that by this Amendment you will be substituting what may be the nominal rate of fees for the actual fees received. Surely the best test of what the school fees are is the amount of fees actually received. We have obtained a Return of the amount received in fees during a certain period, and unless we abide by that we shall have school managers coming and saying, "Our fees are really much higher, only we were not paid so much as we ought to have been. Really our fee was 4d. per child only; in many cases we remitted the sum."

SIR W. HART DYKE: If the right hon. Gentleman will look at the subsequent wording of the clause, he will see it is provided that the sum shall be the amount actually received.

(8.9.) MR. W. H. CROSS (Liverpool, West Derby): I hope the Government will reconsider the matter, because the Amendment, by making the grant depend on the average rate of fees received, will bear very hardly on many of the voluntary schools which have, through liberally making remissions to poor parents, not received as much in fees as they might have done. I would suggest that the word "charged" should be substituted for "received." You are in the future going to limit the power of charging fees. Now, in my own experience as a manager of a voluntary school, I know we have made very considerable remissions of fees, and surely we ought not now to be punished because we did not exact the full amount we were entitled to.

*MR. W. H. SMITH: I am exceedingly sorry it is not in the power of the Government to accept the suggestion of the hon. Member. There is no doubt that some hardship will be felt by the managers of certain voluntary schools, especially in the North of England, who have been charitable enough to remit the fees to poor parents rather than send them before the Board of Guardians, and will, to an extent, suffer by the remission. But my faith in them is such that I am sure that they will emerge from this difficulty with the assistance of liberal friends, and that their schools will continue as efficient and as independent as in the past. The Government are obliged to take a stand somewhere, and the average of the fees received is a matter of fact easily ascertained, and as to which there can be no doubt.

(8.14.) VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I regret to have heard this speech from my right hon. Friend. Why was this Education Bill introduced at all? The reason, as shown by the Vice President when he brought it forward, was the difficulty in regard to the remitting of the fees in the case of those children whose parents are too poor to pay them. Under the present law parents must apply to the Board of Guardians for the remission. It was felt to be an enormous hardship that parents, who are not paupers, should, in such circumstances, have to go through the ignominy of having to appear before these Boards. The managers of many schools have recognised this, and willingly remitted the fees, thus reducing the average amount. The direct effect of the Amendment, basing the calculation on the average rate of the fees actually received rather than on the fees charged, will be to benefit those schools which forced the parents to go before the Guardians, and to impose a hardship on those schools which remitted the fees, and to that extent pauperised themselves. The hard-hearted school will be able to charge the

excess beyond the fee grant which was given by the Government, while the generously-conducted school will be prevented, through the consideration it had shown for the poor parents, from doing so. When I saw the Amendment standing in the name of my hon. Friend the Member for Liverpool I concluded that the Government would accept it, as it remedied an obvious oversight. It is a small matter pecuniarily, but it involves a great principle of justice. Considering that the Bill is not altogether what the supporters of the Government would like to see, they might concede this small point, which does not involve Government money at all; but which does involve the right of school managers to charge fees to the extent of the remissions they have made. I cannot believe the right hon. Gentleman will be deaf to a plea which is obviously founded in justice. I hope, if the Government does not see its way to at once accept the Amendment, a promise will be given to consider the matter before the Report stage.

(8.16.) MR. PICKERSGILL (Bethnal Green, S.W.): The noble Lord has stated that the adoption of this Amendment will not involve the expenditure of Government money. That may be so, but it involves a consideration of far greater importance. Just apply it to a concrete case, and the full bearing is at once seen. Take the case of a school in which at present nominally a 5d. fee is charged, but in which the fees of at least half the children are remitted. The immediate effect of this Bill, as it stands, will be that the school will become a free school. But if the Amendment of the hon. Member for Liverpool is adopted, the managers, going on the basis of the fees nominally charged, and not those actually received, will be able to charge a 2d. fee if they choose, and the parent will, for 12 months at all events, have no redress whatever. Only by the cumbersome operation of Sub-section 3 of Clause 3 will it be possible to have a free school in a district where, *ex hypothesi*, the facts show that a free school is most distinctly required.

(8.20.) MR. T. ELLIS: I am afraid we are losing sight of the point involved in the Amendment before the House. From a free education point of view it is a very bad Amendment. I take it the meaning of the clause is this. You may take the case of a school of 200 children, in which fees to the amount of £150 have been received. Under this Bill the school will become entitled to a fee grant of £100, and in future it must not raise more than £50 in fees, even if the number of children in attendance increases. My hon. Friends may think that the amount to be raised in fees should be allowed to rise proportionately with the increase of scholars. But Sub-section (b) provides that any new school established in the future shall be a free school, unless the Education Department specially sanction it. I think the limit which would, in the case I have referred to, prevent more than £50 being raised as fees, will be of distinct advantage, and I hold that to enable managers to charge a fee for additional children would be to take a retrograde step. The Amendment gives a power to charge a larger fee than is the case at present under the clause. I object to it, on the ground that it is against the principle of the Bill, namely, that in future we should approximate to the condition of absolutely free schools, and, further, that it is deplorable, while passing a Free Education Bill, that the House should make it possible in any school to charge more than has been charged hitherto.

*SIR W. HART DYKE: I should like to point out that the clause is not elastic enough as it stands. Supposing, instead of a school increasing by 100, it decreases by 100, in such a case the school will be allowed to charge the balance which is in excess of the 10s. fee grant. By stereotyping the amount you will give such a school more than it is entitled to receive.

(8.25.) MR. MUNDELLA: I think the reply of the right hon. Gentleman should satisfy my hon. Friend. May I add that the computation is based on the fees received during the year 1890-91, one of the most prosperous years since 1874, a year in which there were less remissions than had been known for many preceding years.

MR. W. F. LAWRENCE (Liverpool, Abercrombie): I am not so certain of that. In some places the influenza was

very prevalent and seriously affected the attendance of the children. Is it not possible to take an average of three years?

MR. MUNDELLA: It would not come out so favourably to the schools.

MR. SYDNEY BUXTON: Although I do not think we could accept the words suggested by the hon. Member for Liverpool (Mr. Cross) as they appear on the Paper, I should be inclined to vote for a modification. I gather from the noble Lord we are penalising managers of schools, who, to save parents the degradation of applying to the Guardians for the remission of fees, have paid them out of their own pockets. I think there is a good deal of force in the opposition to that, and I would support an Amendment which would bring into the calculation the fees actually remitted.

*MR. W. H. SMITH: The Government will examine the question, and if there is any way of meeting the objections which have been raised they will be prepared to do so.

MR. W. H. CROSS: I shall be happy to fall in with the suggestion of the hon. Member for Poplar.

MR. MUNDELLA: I think the Board schools will gain far more advantage from this than the voluntary schools, which have no power to remit fees, and which do as a rule get them from the Board of Guardians.

MR. W. H. CROSS: I have remitted many fees in connection with voluntary schools.

Amendment agreed to.

Another Amendment made.

(8.30.) MR. JENNINGS (Stockport) was inaudible in the Gallery.

*SIR W. HART DYKE: I do not think the intention of the section is to shut out schools such as that mentioned by my hon. Friend. It is a school to-day, and perhaps my hon. Friend will allow me to consider the matter between this and Report. These words are precise and plain, and I think it would be a pity to disturb them. (8.32.)

(9.5.) MR. T. ELLIS: I placed my Amendment on the Paper before the Government brought down the age from five to three, and raised it from 14 to 15, and I do not now want to raise the question of age; but I ask that the Amendment may be accepted, so that these schools shall be absolutely free. Whether the Amendment or the insertion of the words "for any child" is accepted or not, I shall move the next Amendment to provide that a school being made free no child shall ever afterwards be required to pay a fee.

MR. ADDISON (Ashton-under-Lyne): May I ask, Sir, if this Amendment is in order?

THE CHAIRMAN: I am bound to say I do not know what it means. But the hon. Member proposes to move the next Amendment?

MR. T. ELLIS assented.

Amendment proposed, in page 2, line 9, to leave out the words "except as by this Act provided."—(*Mr. Thomas Ellis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The hon. Gentleman has not explained his object. I suppose he relies upon that explanation of his views which he has given us on former occasions with force and ability. We cannot accept the proposal, and, indeed, I do not quite understand the object of moving it now.

MR. T. ELLIS: I had rather be found fault with for making my speeches too short than too long. This Amendment must be taken in connection with the 1st sub-section of the next clause. It will be seen that my object is to make the schools free once and for all, so that when once schools are made free no power shall be reserved for the Department, under any condition whatever, to set up fee-paying schools again.

*LORD G. HAMILTON: I think I understand, and I will state the view of the Government. We do not in the least wish to encourage any schools to raise their fees, and we believe that the result of the Bill will be to lower fees generally where schools are not made absolutely free. It is necessary, however, to keep a reservation for cases where, owing to a shifting population or other causes, it may be necessary for the managers to raise fees should such a

step be in accordance with the educational wants of the district. The provision is, therefore, necessary, in order to impart elasticity to the system. Just as, on the one hand, where there is a demand for free education, the Department will meet it, so, on the other hand, in those probably very exceptional cases where the circumstances of the district require it, the managers will be empowered to raise fees. This is what is contemplated in Section 1 of the next clause.

*(9.11.) SIR L. PLAYFAIR: I think the hon. Gentleman need not persist in his Amendment, because, should we succeed in striking out or modifying Clause 3, these words will become mere surplusage, and will have to be struck out on Report; but if the Government carry Clause 3 in its what we consider present objectionable form, the words will be necessary.

MR. T. ELLIS: I do not think that the right hon. Gentleman or the noble Lord either has quite realised my meaning. The Vice President is now in his place, and that he may appreciate my point I may explain. The 1st sub-section of Clause 3 allows, under certain circumstances and with the special permission of the Education Department, fees to be charged. Now, whatever we may say as to giving the Education Department power to increase fees where the fee grant will in the future be less than the present fees charged, namely, in schools charging more than 3d., I hold that schools made free should remain free now and for ever, and that the Education Department should not by any permission make these fee-paying schools again on any consideration or condition whatever.

*LORD G. HAMILTON: I quite understand, and my explanation is that it is only to give the Department, in rare cases where there might be such a movement of population, or a change in the conditions of labour in the district as would make the imposition of fees desirable, the power of assent to the charging of fees. But really the objection of the hon. Gentleman arises on the next clause, and should the sub-section in that clause be struck out by the Committee, of course these words would have to be omitted on Report.

Lord G. Hamilton

*(9.14.) MR. ROBY: I hope the Government will consent to concede the whole point which arises in connection with the two clauses. It is a small matter, and the Government admit that the cases in which the power may be exercised are likely to be very rare.

*SIR W. HART DYKE: So far as I understand, the object this Amendment really strikes at the first two subsections of Clause 3, and the removal of these from the Bill.

*MR. ROBY: Only in line 9. We are dealing with schools which are by the Act made free, and we do not want a fee to be again imposed.

*SIR W. HART DYKE: The reservation is required in connection with Clause 3.

*MR. SUMMERS: There are two parts of Clause 2, and the first relates to schools made free under the Act, the fee grant of 10s. being in excess of the existing fees, and we maintain that these schools should remain free, no power being given to the Department to impose fees afterwards.

*SIR W. HART DYKE: The powers to be given to the Department are contained in Clause 3, Sub-sections 1 and 2, and to these the cutting out of these words has reference. The hon. Member wishes to close the door against the Department, even consenting to fees being charged again. This, now, is a question of drafting, and the words have reference to Clause 3, where the point should be directly raised.

*MR. SUMMERS: The words "except by this Act provided" occur again in line 15. If we strike out the words in line 9, it does not follow that the 1st sub-section of Clause 3 will not remain. We maintain that we ought not to give power to re-impose fees in schools once made free. We provide the money to get rid of fees where the fee is now less than 3d., and we want that to be absolute and obligatory.

*(9.16.) SIR W. HART DYKE: I can only say again what I said in the Debate upon the Second Reading: what we intend by Clause 3 is to meet the possibility that may arise owing to the exigencies of a district. The character of the population may entirely change, and it may be that the requirements of the neigh-

bourhood no longer demand that a school shall be free. I do not say that such cases will often occur. I do not even say they are likely to occur, but the point has to be considered. The striking out these words now means destroying the effect of Clause 3, which we still have to discuss.

*MR. WINTERBOTHAM (Gloucester, Cirencester): It is clear to me that the intention is to leave a loop-hole, by means of which the Department will be enabled to allow voluntary schools to keep the 10s. grant and yet charge fees. Now, that is a matter of principle. We do not believe that, by any shifting of population, there will be any necessity to re-impose fees, and we do not wish it should be possible to re-impose fees in a school once free. It is a small matter, yet it is a matter of principle. Do you intend to give free schools or not? If you have that intention let it be carried out; but do not give with one hand that which you reserve power to withdraw by a Department under pressure with the other. It is a matter of principle, and I hope the hon. Member will carry it to Division.

CAPTAIN BETHELL (York, E.R., Holderness): The hon. Member is quite right—it is a matter of principle; it is one of the principles—if not the main principle a sub-principle—upon which we are in opposition to the right hon. Gentleman opposite, and I hope my right hon. Friend will not accept the Amendment.

*MR. H. J. WILSON: The argument of migration of population scarcely applies, for, as a matter of fact, the poorer neighbourhoods are densely populated, and population spreads outwards to better districts, but a poor population as a rule does not leave a district. It is a serious penalty that will be imposed on a man when he removes into an improving district——

THE CHAIRMAN: The hon. Member is anticipating the discussion which will arise on Clause 3. Nothing really turns upon the omission of these words; it is a matter of detail in reference to Clause 3.

(9.24.) The Committee divided:—Ayes 100; Noes 54.—(Div. List, No. 320.)

*(9.30.) MR. TOMLINSON (Preston): The object of the Amendments I have placed on the Paper is to meet the case of half-timers. At present every half-timer pays the full fee. Under this Bill, when the Government Amendments are inserted, only 7s. 6d., instead of 10s., will be received by a school in the case of a half-timer, and therefore there will be a loss of half-a-crown, which cannot be recouped in any way. In Preston we have 1,739 half-timers, so that the loss of these half-crowns will amount to no less than £434 15s. a year. We have no School Board in Preston, and therefore this loss falls on voluntary schools; but where there are School Boards there will, of course, be a similar loss. I am a strong supporter of the half-time system, but I know that for the purposes of discipline and the management of the school, the schoolmasters always desire to have no half-timers, as they give a certain amount of extra trouble to the masters, and therefore it is quite fair that they should pay the full fee. When a school becomes free there will be no possible means of recouping the half-crown, and I do not think there will be any means where a fee is charged. I maintain, as a matter of justice, that where loss is incurred by a school by the fact of children going on half-time they ought to make good that loss out of the wages they earn. This is said not to be consistent with the system of free education. I deny that altogether. Every child has the option of being a free scholar, but where he, for his own benefit, puts himself into the position of a half-timer and causes a loss to the school, that loss ought in fairness to be recouped by him.

Amendment proposed, in page 2, line 9, after "provided," insert "and except in the case of half-time scholars."—(*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

*(9.34.) SIR W. HART DYKE: This question has already been raised, and I have already foreshadowed an Amendment to be proposed on the definition clause that will place the half-time in precisely the same position with regard to this grant and with regard to the ordinary grant.

*Mr. TOMLINSON: In my argument I assumed that that was to be in the Bill.

*Sir W. HART DYKE: I was in hopes I had met the difficulty. My hon. and learned Friend raises another difficulty, and suggests that there shall be power to charge fees in regard to half-timers. There is a little inconsistency in my hon. Friend's argument, because he supports the half-time system—and I agree with him in doing so—but says the half-timer may, if he likes, become a full-timer in order to avoid payment of the half-crown. I should like very much to meet my hon. Friend, but I cannot see my way to do so, and I cannot but think it would be a blot on the Bill to provide that the half-timers should be bound to pay a fee. I have gone the full length I can go as regards the administration of our fee grant, and I cannot at present see my way to meet the difficulty my hon. Friend has suggested.

(9.37.) Viscount CRANBORNE: I feel very much obliged to my right hon. Friend for his very conciliatory answer, and I can quite believe he does not see his way entirely to adopt the suggestion of my hon. and learned Friend. The Amendment, however, calls attention to a very great difficulty. There will be a deficit in regard to the half-timers. That will be very difficult for the managers to meet. The logical position for the managers to adopt would be to charge a small fee for the half-timer and a larger fee for the full-timer; but that would be contrary to the whole system that has been adopted. Considerable hardship will be felt if the managers take the only course open to them under the Government scheme and charge a small fee to all pupils alike. If my right hon. Friend can see his way to meet the difficulty, I hope he will do so.

*Mr. TOMLINSON: I wish to point out that I am not asking the Exchequer to help us at all, but suggesting that the half-timers should make up the deficit.

(9.39.) Mr. ILLINGWORTH: Is the hon. and learned Gentleman aware that schools benefit very considerably from the fact that full fees are paid by half-timers? It would only be aggravating the hardship now inflicted on half-timers to press the point further.

*Mr. TOMLINSON: All school managers will tell you that half-timers really cause as much trouble as the full-timers. The masters and teachers would rather have the children in school the whole time than half time for the sake of simplifying the teaching.

*Mr. F. S. POWELL: I may point out that I received a telegram from Bradford yesterday, saying that in the Board schools the half-time scholars and the whole-time scholars pay the same fees: while in a large voluntary school with which I am connected the half-timers pay only a half fee.

Mr. ILLINGWORTH: I did not say anything to the contrary.

Question put, and negatived.

(9.45.) Mr. MUNDELLA: The next Amendment which I beg to move is a very reasonable one, and goes to make clear what is the meaning of the Government. It is to the effect that in any school where the fee grant exceeds the previous total school income from fees and books, no charge whatever shall be made to any scholar. It is quite clear that when the income of the school has been covered by the amount of the grant a dangerous system may grow up unless this Amendment is accepted. I have received many complaints as to the charges for books, which have really become another mode of increasing the fees. The charge for books is most capricious. Parents never know what to expect, and we only ask that in the future, as in the past, where 10s. covered the cost of education and books, the total charge for books shall be covered by the fee grant.

Amendment proposed,

In page 2, line 11, after "age," to insert "In any school where the fee grant exceeds the previous total school income from fees and books no charge whatever shall be made to any scholar."—(*Mr. Mundella.*)

Question proposed, "That those words be there inserted."

*Sir W. HART DYKE: I gather that the right hon. Gentleman means that where there has been an excess over the 10s., if the school continues a fee-

charging school, in the future the limit shall not be in excess of the amount previously charged. The Amendment is to meet the case where a charge has been made for books, and a profit has been made on the books, which profit, under the new system, would raise the income over 10s.

MR. MUNDELLA: I do not only deal with the question of profit. In the Return the right hon. Gentleman presented to the House there is a column devoted to "income from fees and books." I say that where this income has been under 10s. in the past, and the school elects to receive 10s. from the Government, that amount shall include the payment in future for books. I propose, in short, that no new charge shall be made.

*SIR W. HART DYKE: I have an Amendment on the Paper which proposes to add to the clause words providing that in any school receiving the fee grant no parent shall be compelled to purchase any books or other articles from the managers or teachers of a school, and I submit that those words meet the point raised by the right hon. Gentleman.

MR. MUNDELLA: Those words by no means cover the case.

*SIR W. HART DYKE: I submit that they cover the whole case. If a parent chose to purchase these articles, the sum would be reckoned as a subscription to the school rather than as the payment of a fee. There would be no compelling power hereafter to charge parents for books or other articles. There is not a large point between the right hon. Member and myself, but I venture to think that my suggestion meets the case better than that of the right hon. Gentleman.

(9.50.) MR. MUNDELLA: I have submitted both Amendments to a draftsman, and I am assured that they are not the same. The right hon. Gentleman's Amendment provides that no parent shall be compelled to purchase these things from the managers or teachers, but the managers or teachers of a school might require a child to purchase them elsewhere. What my Amendment provides is that the books shall be provided in the future as they have been in the past; that is to say, that no new charge shall be made.

MR. A. DYKE ACLAND: In all the best schools of the country the books are always included in the charge, and I do think that it ought to be made certain that in all cases of schools receiving a surplus the books should be provided free of cost to the scholars. Though it may be provided that parents shall not be compelled to purchase, yet they may be invited, requested, or advised to do so, and thus the prohibition, in the words of the Vice President, may be evaded. Not one parent in a hundred will know of the existence of any clause that they were not compelled to purchase. There is really no analogy between the Amendment of the right hon. Member for the Brightside Division of Sheffield and the words given by the Vice President.

*COLONEL BLUNDELL: It seems to me that the right hon. Member opposite believes that the position of the schools in the future will be the same as in the past. Can he guarantee that?

*MR. HOBHOUSE: This appears to me a very reasonable Amendment, and I hope the Government will accept it. To my mind, there cannot be a better way of spending the surplus over and above the 10s. fee grant than in providing books.

SIR L. PLAYFAIR: The right hon. Gentleman the Member for the Brightside Division of Sheffield and the right hon. Gentleman the Vice President of the Council clearly have the same intention in their Amendments. I believe that the Vice President of the Council in drawing up his Amendment wished to do what the Member for Sheffield had in his mind, and that it is simply in the wording of the Amendments that they differ. I think, however, that the Amendment of the Vice President of the Council will be open to misconception, and I therefore would urge the Committee to accept that of my right hon. Friend.

CAPTAIN BETHELL: I have had several letters on this subject from school managers, who say that if the Amendment is adopted it will make a

great difference in their incomes. But I also heard that there is a great waste of money in cases where the parents have to purchase the books. I cannot help thinking that it would conduce to economy to provide for the supply of free books.

*(9.55.) MR. WINTERBOTHAM: I hope the right hon. Gentleman the Vice President of the Council will give way on this small matter. This is a Bill to give free education to the people. There are two ways in which the people feel the cost of education. They feel it in the weekly pence, but they feel it quite as much in the 6d., 9d., aye, and 1s. 6d. which the rural labourers occasionally have to provide for books if they have two or three children at school, and these children advance from one standard into another and require fresh class books. This clause provides that where the income of the school has been 10s., not from fees alone, but from fees and books, free books shall be given. I am one of the managers of a school where the income from school pence is only about 7s. 6d., and this Bill will be a good thing, financially, for us. The question will arise, what shall be done with our surplus, and I say, beyond all else, I think it will be best disposed of in the provision of books. Let this be the first charge on it.

*MR. SYDNEY GEDGE (Stockport): We are all agreed that the use of free books is to be included in the fee grant; but the question is, which is the more convenient mode of securing this? I think that of the right hon. Gentleman opposite is the less convenient of the two, as we have already in the clause a definition of how you are to ascertain what the income of a school is. The right hon. Gentleman's Amendment would be inconsistent with that.

MR. HENEAGE (Great Grimsby): I would ask the Government to consider the advisability of going a little further than they propose to do in this matter. I think, from the answer of the right hon. Gentleman the Vice President of the Council, that when he spoke he was under the impression that the surplus income would only be that obtained through the fees, but the Amendment is distinct on the point that the surplus is to be held as being obtained from fees and books. If something approaching this Amendment is not accepted what will be the result? You will first have the fee grant estimated on the income, including the cost of books; and then, if the managers are to be allowed to make money by selling books, you will be allowing them to benefit twice over. I think the Amendment is a fair one, and I much prefer it to the proposal of the Vice President of the Council.

*MR. W. H. SMITH: There appears to be no real difference of opinion in regard to the object to be attained. The only difficulty is as to the words in which it shall be expressed. The words of the Amendment do not satisfactorily meet the case, and I think it will be better to reserve the matter for further consideration, in order that an addition to the clause may be carefully framed.

MR. MUNDELLA: My Amendment says that no charge whatever shall be made to any scholar, and this would include such charges as those for lighting and warming which are sometimes made. I say we ought not under this Bill to have a crop of new charges springing up. We are abolishing fees, and I think we should take care that all charges are done away with. However, I withdraw the Amendment.

Amendment, by leave, withdrawn.

*(10.2.) MR. G. W. BALFOUR: I beg to move the Amendment which is next on the Paper in my name. In the high fee schools the amount hitherto raised by fees will have to be provided partly by the fee grant of 10s. and partly by a supplementary fee. But that supplementary fee will be strictly limited in amount. It is not to exceed 10s. on the average, and if it does exceed that amount the excess is to be deducted from the fee grant. It has been repeatedly pointed out that in cases where the present amount of the fees exceed by only a comparatively small sum the amount of 10s., there will be great difficulty in raising the supplementary fee. It can only be done by charging a small fraction of a penny, and almost all practical educational authorities seem to be agreed that to charge a fraction of a penny is impossible.

My right hon. Friend the Vice President of the Council has endeavoured to meet this objection. He says, "Why should not the school managers distribute the fees among the different classes, charging one more and another less, so as to raise the precise amount required, and yet retain a fee capable of being measured in integral pence." That is a specious argument, but I do not regard it as altogether convincing. I certainly do not think the difficulty can be altogether removed in that way. In some schools the managers might wish to charge the uniform fee throughout; in others they might desire to have a uniform fee for the higher standards and another uniform fee for the lower ones, or, perhaps, to free the lower ones altogether. But as the Bill now stands they will not be able to distribute fees as they think best, but must subordinate all other considerations to the solution of an arithmetical puzzle, which perhaps cannot be solved at all. So much for the schools where at present there is an average charge of a small sum of 10s. per head, but there are others in which much higher fees are charged. These schools also will be placed in a difficulty. They will have to adjust the school pence so as to exactly hit off a fixed and precise sum. If they exceed the limit a deduction will be made from the grant. If they fall short of it a loss will ensue, and it is quite possible that the loss may be doubled under the operation of the 17s. 6d. limit. The remedy I propose is a simple and practical one, and amounts to this: that a certain margin should be allowed on the supplementary fee which the Bill permits to be charged. I have put this margin at 2s. for each child, which represents, roughly speaking, ½d. per week for each child for 44 or 45 weeks in the year. A few days ago my right hon. Friend felt himself compelled to decline the proposal made from these Benches that there should be an average fee of 3d. weekly. I thought that that was a perfectly reasonable proposal, because it corresponds to the true average of the fees paid in the elementary schools throughout the country. It was not accepted, however, I suppose principally on financial grounds, but there can be no such objection to the proposal made in my Amendment. Whatever burden it may impose will fall not upon the Exchequer, but upon the parents. Nor can it be regarded as an infringement of the principle of free education so long as it is practically possible, under Clause 3, for all parents to claim free places for their children. I beg, therefore, to move this Amendment, and to express a hope that it will be accepted by the Committee.

Amendment proposed,

In page 2, line 15, to leave out from "total" to "excess," in line 17, inclusive, and insert "average amount received in fees during the school year for each child of the number of children in average attendance at the school, when added to the fee grant per head, exceed by more than two shillings the average amount similarly received during the aforesaid year."

*(10.15.) SIR W. HART DYKE: I do not like to disappoint my hon. Friend, but I must say that his proposal would upset to a great extent the whole financial basis of the Bill. The principle of our proposal is that the excess alone over the grant must be charged, and it would not be fair to hon. Members opposite who voted for the Second Reading to depart from that principle, because where a school charges 15s. they might accept our fee grant of 10s., and yet charge 7s. That is what I am afraid it amounts to. My hon. Friend seems to think that there must be some difficulty with regard to the balance of fee, and that some loss may still accrue. My hon. Friend urges that it will be very difficult for managers to hit any precise balance, and he represents the loss which might accrue from making a bad shot. The balance might be too much, and what they ought to do is to err on the right side. If they get too much it is simply a balance of accounts, and where an excess was really charged it would simply be struck off the fee grant. Whether the excess is 2s. or ¼d., it will simply be a matter of accounts. I think in that way the difficulty which my hon. Friend urges may be met.

*COLONEL BLUNDELL: Would managers of schools be allowed to charge supplementary fees during four or five months in the year, and then, if they had collected enough, cease charging, so as to avoid charging fractions of a penny?

*Sir W. HART DYKE: Yes; the Department will only look to the gross amount; it will not inquire how the fees are distributed among certain parents, still less will they criticise the time at which such fees are paid. All we ask is that the amount does not exceed the excess over the fee grant.

Amendment negatived.

Clause 3.

*(10.20.) Mr. SUMMERS: I beg to move to leave out Sub-section (1). This is a clause empowering the Education Department, if they are satisfied that sufficient free-school accommodation has been provided for a school district, and that the charge of school fees or the increase of school fees in any particular school receiving the fee grant will be for the educational benefit of the district, to approve such charge or increase of fees, provided that the fees shall not exceed an average fee of 6d. a week. I contend that the sub-section strikes at the principle of the Bill. The State is to provide £2,000,000 every year for the purpose of freeing 80 per cent. of the schools in this country. This sub-section would give the Education Department power to undo the work of Parliament, to unfree schools which we have determined shall be free. I do not know whether the Vice President has any argument to offer in favour of this clause.

Amendment proposed, to leave out Sub-section (1) of Clause 3.—(*Mr. Summers.*)

Question proposed, "That the words 'Notwithstanding anything hereinbefore contained, the Education Department may, if they are satisfied,' stand part of the Clause."

*Sir W. HART DYKE: I shadowed forth in my remarks on the Second Reading of the Bill that this 1st sub-section was open to comment on the other side of the House, because it would be suggested that we were endeavouring to take away with one hand what we were giving with the other. But it is nothing of the kind. The subsection is proposed entirely with a view to facilitate the administration of the Education Department It is to enable the Department to meet certain emergencies, such as a sudden shifting or growth of population, or in districts where there may be a very strong demand for higher education. Take the case of Cheltenham, and compare it with what it was 10 years ago, and you will have an example of how populations change and grow. There is no hidden meaning in this clause; it is entirely a departmental matter. The sub-section can only operate where the demand for free education has been fully supplied. That is a *sine qud non*, and I hope hon. Members will be prepared to accept this proposal.

*(10.26.) Sir L. PLAYFAIR: If the Vice President's intention were expressed by the clause in actual words, there would not be the same objection to it as now. As the clause stands, complete power is put into the hands of the Education Department to defeat the intentions of Parliament, that the schools which are made free shall remain free. Future administrators may take a different view from that of my right hon. Friend the Vice President of the Council, and the only safeguard is to state in words what is the intention. An Act of Parliament is governed by its words, not by opinions expressed in this House, and this clause as it stands gives a most unwarrantable power to the Department to interfere with the intentions of Parliament, and we on this side of the House could not accept these words.

Mr. A. E. GATHORNE HARDY (Sussex, East Grinstead): My object in rising is to express the hope that if this clause is opposed, the Government will not insist upon it. If they do I shall support them by my vote, but I look upon this as a matter of such very small importance compared with the importance of getting the Bill through without unnecessary friction, that I hope the Government will not persist in endeavouring to meet the demands of the Department that this particular clause shall be carried. As far as I can see it is simply put forward on the ground that there may be a shifting of population; it is possible there may be, but undoubtedly it would not be a matter of frequent occurrence. It is a

small matter, involving no Party question of any kind or description, and, therefore, I venture to urge the Government not to press the proposal. Recognising the importance of getting the Bill rapidly through Committee, I hope the Government will not consider it necessary to resist the Amendment.

*(10.30.) LORD G. HAMILTON: It has been said there is no great shifting of populations and change in the character of a district, but I have been associated for many years with a constituency which is a striking example of such changes. The rapid changes in the suburbs are scarcely credible to those who have not witnessed them. Two classes come into the district, the poor who are forced out of London by the changes there, and the better class of occupiers who take villas for their families while they pursue their occupation in London. In districts such as these it is desirable that the Education Department should have such a power. I do not think it is a power that will be often exercised, but we do see the possibility of a district rapidly changing its character entirely from a poor district to a well-to-do district. But the schools are there and cannot be moved, while the population has shifted and the schools are for the convenience of the population. All that this clause does is to give the Education Department power in these particular cases to raise the fees to meet the wishes and requirements of the population. It seems to me a very reasonable proposition, and I do not think it is at all at discord with the principle of the Bill, on the contrary, it falls in with the principle that where parents do not want free education, and prefer to pay fees there shall be no obstacle put in their way.

(10.33.) MR. A. DYKE ACLAND: We are bound to consider the words of the clause as they stand; we are not bound and we cannot be bound by even the most beneficent intentions expressed by the Vice President of the Council, and the noble Lord. We have these words in the clause, and they remain under whatever changes take place in the *personnel* of administration, and the clause will allow a 3d. school to be made a 4d. school, a 4d. school to be made a 5d. school, and a free school to charge fees. We were led originally to believe that we were to have a Free Education Bill, but now it is an Assisted Education Bill that we are getting. We are told that this clause is to meet certain exigencies that may arise, and that this demand will be made, not upon the Treasury, but upon willing parents. But we do not want to make this charge upon parents in the field of elementary education; we want to relieve parents as far as we can. We know from a letter of the Vice President to a correspondent, and he has told us, I am sorry to say, more than once, that he approves of these exclusive schools with high fees. He has said that the School Boards will altogether abolish their fees and so attract one class of children, and so he hopes that the voluntary schools will be able to charge high fees. But your high fee schools are your low subscription schools, and not the schools which give a first-rate education. Your high fee school is not a school which gives a more first-rate education than schools like the penny schools of Birmingham; the fees are high simply because the subscriptions are low. The Vice President has said he hopes that the effect will be to bring into these high fee voluntary schools the pick of the children in our public elementary schools whose parents on social or religious grounds—not on educational grounds observe — prefer for their children a more exclusive type of schools than the School Boards furnish. Certainly by all means the Vice President desires, and the parents wish on social and religious grounds, to have exclusive schools; but I see no reason why, if these schools are to exist, the Department should have pressure put upon it to raise the fees to increase the income of the managers. Surely we ought to prevent any pressure on the Department in the future, in the interest of exclusiveness or on those social religious grounds for raising fees, and that is why we oppose the clause.

(10.37.) MR. J. BRYN ROBERTS: If the only object of the section is to meet the case of a free school, the managers of which wish to convert it into a fee-paying school, that object can be obtained without this clause at all. If a neighbourhood changes its character

and ceases to be a district inhabited by the working classes, and if the inhabitants desire that the school shall change its character and that fees shall be charged, there is nothing to prevent the managers of the school meeting that wish; there is nothing to prevent a free school from becoming a fee-paying school if the managers comply with one condition, namely, that they give up the fee grant. If the change in the neighbourhood justifies it, let the managers give up the grant, and there is no restriction on their charging fees; but this clause provides that they may keep the Government grant, and charge fees also. That seems to me altogether unreasonable, and it cannot be defended on the argument put forward.

MR. JESSE COLLINGS: The hon. Member for Rotherham is not very generous in his criticisms of the Bill. In speech after speech he denies the character of free education to the Bill. The hon. Member for Sussex (Mr. Gathorne Hardy) stated the whole case when he said this is a very small matter we are now discussing, and it is scarcely worth while retaining this which is really a small blot on what is, in spite of the language of the hon. Member for Rotherham, a free education Bill. The noble Lord says the object of keeping the clause in is that in certain districts there may be a migration of population, that the poor inhabitants may remove, or there may be a large settlement of a villa population. Now, the danger we have to provide against is that the interests of the poorer classes may be sacrificed to the wishes of the villa population. This is a possible danger in the future, though it will not arise while the present Vice President is at the head of affairs. But we have to take into account not the interpretation the right hon. Gentleman puts upon it, but what are the possibilities under the clause, and I cannot imagine that the right hon. Gentleman has a very strong feeling in favour of retaining the clause, which is, I am bound to admit, a small blot upon what is unquestionably and genuinely a free education Bill. I hope, therefore, the Government will, if they do not see their way to withdrawing the clause, insert the modifications suggested by the hon. Member for Leeds.

*(10.40.) SIR W. HART DYKE: I can only repeat what I have said more than once, the clause will only come into operation where there is not sufficient accommodation of this nature to be found. By Sub-section 3, any parent can, by making representation to the Department, secure free school accommodation. You have, therefore, an appellate power, and the claim to free school accommodation is sufficiently guarded.

MR. MUNDELLA: My right hon. Friend said a little while ago that this clause has been inserted to meet the demands or the requirements of the Department. I am afraid if it had depended upon the wishes of the permanent officials of the Department we should not have had this Bill at all. The Education Department has never been in favour of free schools, and has not been in favour of low fees. Now, we all wish to make progress with the Bill, but if we are to make progress I say frankly this section must come out. [*Cries of* "No!"] The noble Lord has said this is a very small point, and that it is intended to meet the requirements of a shifting population, that if a rich neighbourhood becomes a poor neighbourhood, then free schools are required, while if it becomes a rich district like Kensington, free schools are not required. But I say this clause confers more power upon the Department than any Department ought to have. Having given this magnificent boon of £2,250,000 for free education, you now propose to give the Department at any time the power to impose fees in any school which had been enjoying free education. This is to be done wherever the Department is satisfied that it will be for the advantage of education. But I say for the sake of progress with the Bill the Government should abandon this sub-section.

(10.43.) MR. A. E. GATHORNE HARDY: I am seriously disappointed at the result of my intervention in this Debate. I intervened, as I said, in the interest of peace and progress with the Bill, notwithstanding that I thought my

intervention might be misunderstood. I spoke wholly and solely with the view of removing this matter altogether from the line of Party disputes and of promoting progress with the Bill. [MR. MUNDELLA: "Hear, hear!"] The right hon. Gentleman says "Hear, hear," but I wonder does he think the speech he has just delivered has a tendency towards promoting the same object? When the right hon. Gentleman says—"If you wish to make progress with the Bill you must give up this section," is that the way to allay Party feeling? I can only say that if I had not got up before the right hon. Gentleman's speech nothing would induce me to make such an appeal now. I was followed by the hon. Member for Rotherham, who told us this is not a Free Education Bill at all, and then the right hon. Gentleman says that if it had rested with the Departmen we should never have had this Bill at all. Well, if this is the way in which my intervention is received, it does not encourage one to endeavour to promote agreement and progress by suggestions from this side of the House. Still, however, I may repeat that the matter is a very small one, and I think if we could succeed in discussing it without heat, this might reasonably be conceded.

MR. MUNDELLA: I should be sorry if I had imported any Party heat into the Debate, but I do not think I have done so. Throughout I have endeavoured to preserve an impartial position, and have only been actuated by the interests of education. I will now only say that although this is a small matter, it may lead to very serious results, and I trust the Government will yield in the matter.

*MR. W. H. SMITH: I do not think any heat need be imported into the discussion of this which is a small matter, but it is one, notwithstanding, to which the Government attach importance in the interests of education. The Government are willing on Report to consider the introduction of words qualifying the power of the Education Department, but at present they must adhere to the words in the Bill. I hope, notwithstanding the threat of the right hon. Gentleman, we may be allowed to retain and sub-section, and proceed with the Bill.

*(10.47.) MR. HOBHOUSE: I have been anxious for some time to make a suggestion which would, I think, reduce this contention to its proper dimensions. It has been allowed that the interpretation put upon the clause by the right hon. Gentleman opposite makes it much less objectionable than it appears at first sight. I would suggest that the Government should introduce words to make clear the meaning and the extent of the application of the sub-section, as, for instance, "where the Education Department are satisfied that a change of fee is required owing to a change of population." I do not, however, myself believe there is much danger of the Education Department, exposed as it is to keen criticism, showing a disposition to abuse its power and misuse the clause.

*MR. W. H. SMITH: As I have said, the Government are prepared to consider between now and the Report stage whether qualifying words should be introduced.

*SIR JOHN LUBBOCK (London University): There are certain other words in the clause which have, I think, been overlooked. I approach the question from a purely educational point of view, and I wish to point out that there are words in the clause to which no hon. Member has referred—namely, that the Department shall be satisfied that the permission "will be for the educational benefit of the district." It is very undesirable to stereotype our school system, to limit our schools to one type. If the artisans in a particular district wish for a school better provided and better equipped, why should they be deprived of the advantage of the 3d. because they propose to pay something themselves to raise the education of their children? I think the clause embodies a valuable principle, and I hope the Government will adhere to it.

*(10.50.) SIR G. TREVELYAN: I certainly desire that the question should be taken altogether out of a partisan

atmosphere. In reply to the right hon. Baronet who has just spoken, I may say we have had experience in Scotland of that which, in all good faith, the right hon. Gentleman desires to bring about in England—a system of graded schools. An opinion in favour of such a system is held by a certain number of persons in Scotland; but on educational grounds, there is an opinion among a great many persons strongly opposed to anything in the nature of graded schools. The great object of free education is to secure equality among all the schools of the locality, that they shall be built for the great body of the people and enjoyed by them. The only way in which a high standard of education can be maintained in those schools is to induce the better-class parents to send their children to the same schools as the great body of the people. In this way the level of education is gradually raised. On educational grounds, therefore, I feel the strongest repugnance to accepting this clause. This clause is even more serious than the provision we have in Scotland, for here you are not only providing for fee schools being established, but that schools having been made free may again be made fee-paying schools. If we believe in free education we are bound to vote against the clause, and it requires very good reasons to convince us that the clause is necessary.

(10.55.) MR. J. CHAMBERLAIN (Birmingham, W.): I think I may claim to be a believer in free education, but that does not prevent me from believing also that a minority has a right, if it pleases, to a more select school—[*Ironical cheers*]—or whatever other adjective you please to use, in order to characterise the schools for which they are willing to pay. Hon. Members behind me cheer ironically, but how would they like the right to be taken away from themselves? How many of them desire to avail themselves of free education when it is established? The right which they claim to send their children to Eton, Harrow, or anywhere else is a right which they ought to concede to any working man who is willing to pay the fees which will be asked of him if he sends his children to a select school, and is not satisfied with the national school provided out of national taxation. We have, therefore, to contemplate for the children of the working classes as well as for the children of the upper classes a choice of schools. That is the principle of the Bill. The case of Preston has been mentioned, where there is no Board school, and where the fees are very high. What will happen there if the Bill passes? I presume that a certain number of working men in Preston will claim free education. If so, it would be absolutely necessary that this free education should be provided for them either in the voluntary or Board school. Suppose, however, that one-third claim free schools and two-thirds desire to go on paying fees. The one-third will be provided for in those districts in which this demand for free education arises. It may well happen that in the course of time the population in Preston will shift, and in the district which now desires free education there may be a population which does not desire free education. Why should they be forced to have the free school continued? That is precisely the case contemplated by the clause. After all, this is a very small point, because the case is not likely to occur very often; but if there are to be great appeals to principle, then, as a friend of free education, I must say that I see no possible objection to the clause.

*(11.1.) MR. SUMMERS: My right hon. Friends the Members for West Birmingham and the University of London seem to attach much importance to this sub-section. They hold that if this and the following sub-section are struck out we shall have a universal system of free education throughout the country. We have already passed an Amendment making it permissive for any school to exempt itself from the operation of the Bill. It, therefore, seems to me that the only thing we have to consider is the bearing of this particular clause upon Clause 1. By Clause 1 we have provided a sum of money to free schools from the exaction

of fees, and by this clause we are giving the Education Department a dispensing power to undo what we have already done in Clause 1. We are going to give this money, and we have a right to receive something in return. What we claim in return is the free education for which we pay. My right hon. Friend the Member for West Birmingham compared the working man who wants to have a fee-paying school to which he can send his children to members of the middle and the upper classes, who send their sons to Eton and Harrow. But there is no analogy at all. We have not under the first clause remitted fees in the case of Eton and Harrow, and, therefore, the argument of the right hon. Gentleman is beside the mark. Representations in favour of striking out this clause have been made from various parts of the House. I hope it is not too late for the Government to reconsider their position. They themselves see that this matter is one of great importance. It seems to me the clause will place an invidious duty on the Education Department from which the Department ought to be the first to wish to be relieved. Under the clause it will rest with the Department to determine whether the managers of any particular school who claim to raise fees shall be allowed to do so or not.

Mr. HALLEY STEWART rose in his place, and claimed to move, "That the Question be now put," but the Chairman withheld his assent, and declined then to put the Question.

Debate resumed.

*(11.6.) MR. RATHBONE (Carnarvonshire, Arfon): I think it is necessary that there should be a certain amount of elasticity on this point. Unless there is some latitude allowed, schools who charge higher fees must either turn out their children or submit to the loss of the grant on a large portion of the schools, and this will throw the children back into inefficient private adventure schools, which are not inspected at all. I think this clause properly guarded may provide against that danger, and therefore I shall certainly vote for it.

*MR. HOBHOUSE: It would be well to have the matter cleared up. Will the Government accept words distinctly limiting this sub-section to cases where there is a shifting of population?

*MR. W. H. SMITH: I think it is only right and fair to say that is clearly the intention of the Government, and that we shall be prepared subsequently to accept such qualifying words.

Question put, and agreed to.

Other Amendments made.

Amendment proposed, in page 2, line 23, after "fee grant," to insert "if required owing to the change of population in the district and."—(*Mr. Hobhouse.*)

Question proposed, "That those words be there inserted."

*MR. W. H. SMITH: We accept the proposed words, subject to their qualification on Report if it is found necessary.

(11.14.) CAPTAIN BETHELL: I think it is right to point out that if the right hon. Gentleman accepts these words he will entirely break through the understanding. We have always understood there is something in the nature of a principle in this Bill. That principle has been admitted just now by the right hon. Gentleman the Member for West Birmingham. It has also been explained by the right hon. Gentleman the Member for London University. I, for one, do not approve of this, and I scarcely know why the right. hon. Gentleman the Leader of the House has accepted it so readily. I think it would have been better to give it a little more anxious consideration.

VISCOUNT CRANBORNE: We have not any of us seen the words, and I would suggest that by far the simpler and more business-like plan would be to put them down on Report. My right hon. Friend cannot pledge the Government to accept them without reconsideration on Report, and the ordinary course in the House of Commons is to have before it the words on which it has to decide.

*SIR L. PLAYFAIR: I would point out how important it is that these words should be inserted now. They carry out

what the Government all along explained as their intention. Everyone has given the clause a different interpretation, and all the Government propose to do is to carry out what the right hon. Gentleman the Vice President of the Council has said from the beginning was his intention. It was on this faith that we did not go to a Division.

*Mr. W. H. SMITH: The right hon. Gentleman has accurately described the state of affairs. When the first subsection of the clause was framed it was distinctly contemplated that there might be a change of population which, in the educational interest of the district, might require a free school to be converted into a fee paying school. It was our intention to meet this case when we put this clause into the Bill, and I must ask my hon. Friend to allow the Amendment to stand, at all events until the Report, and, if he has any objection to it, to raise it then.

*Mr. G. W. BALFOUR: I should like to know whether if these words are introduced it will be impossible for any school hereafter established to make any charge beyond the amount of the grant?

*Colonel COTTON-JODRELL (Cheshire, Wirral): We must try, as well as hon. Members on the other side of the House, to improve the Bill. I attach very great importance to this clause, and think that the speeches delivered by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) and the right hon. Baronet the Member for the University of London (Sir J. Lubbock) have put the whole case in a nutshell, and expressed our views in a clearer and more expanded form than the right hon. Gentleman the Leader of the House has done. I hope my right hon. Friend will see fit to postpone the further consideration of these words till the Report stage.

(11.20.) Mr. A. E. GATHORNE HARDY: I cannot help thinking that my hon. Friend misunderstands the true meaning and effect of this clause. It will apply only in the very few cases where there is a shifting population. The speech of the right hon. Member for Bridgeton (Sir G. Trevelyan) ought to have been delivered on the 2nd clause. That clause has been carried, and is now part of the policy of the Bill. This clause was brought forward solely for departmental reasons, and to deal with those places that have a shifting population. Hon. Gentlemen opposite have not divided on the clause, and when it is promised that the words in question shall be inserted on the distinct understanding that they shall be, if necessary, considered on Report, it would be ungracious not to accept that offer.

*Mr. F. S. POWELL: I hope the words will be postponed until the Report. The interpretation which will generally be put on the clause will be that expressed by the right hon. Member for West Birmingham. I cannot help saying, and I say it deliberately, that I think the Government have scarcely acted fairly by their friends in accepting the words in question, altering as they do the effect of the clause. Their action in this instance will greatly shake the confidence of many of their friends.

Mr. HENEAGE: I am perfectly astounded at the speeches we have just heard, seeing that Members opposite have been sitting there behind the Government, and have heard all the speeches in the Debate. The right hon. Gentleman the Vice President rose directly after the Mover of the Amendment, and stated, with the frankness and honesty that have characterised all his speeches, that the clause was a departmental clause, and was inserted for purposes of departmental administration. Hon. Members opposite sat silent, and were perfectly willing to accept that explanation so long as no words were put in which brought the meaning home to them, and yet the words now suggested are, as far as I remember, almost identical with those used by my right hon. Friend. They have been accepted by the Leader of the House. We are asked to postpone them till Report. If we do, we shall not know what they are, and that is just what we want to know. If the Amendment be

put in now it can be considered on Report.

(11.25.) CAPTAIN BETHELL: I am astounded that the right hon. Gentleman has not paid more attention to the speech of the First Lord of the Admiralty. The noble Lord and one of his right hon. Colleagues both said not only that the clause was intended to provide for shifting populations, but that it was intended for general purposes. I am shocked that the right hon. Gentleman, who is not an ordinary Member of Parliament, but a Privy Councillor, should have paid so little attention to the words of wisdom that fell from the Government.

Question put, and agreed to.

Amendment agreed to, in page 2, line 24, after "district," insert "or any part of the district."—(*Mr. F. S. Powell.*)

(11.27.) MR. PICKERSGILL: I propose to amend the proviso by making it read:—"Provided that the fee for any such child shall not exceed 6d. a week." I think the majority of the Committee will consider it not unreasonable to require that in a public elementary school no child shall be charged more than 6d. a week. If you have an average basis, the effect is that, as long as the average does not exceed 1s., as much as 2s. or 3s. a week may be charged in particular cases. The characteristic vice of such a restriction is, that it enables the managers of schools to differentiate in the fees charged against particular children or classes of children. I will give as an illustration a case which actually occurred some little time ago. In a certain Union the Guardians desired to send the lads in the workhouse to attend an elementary school outside—a policy which I regard as a wise and humane policy, and which Guardians are more and more adopting in various parts of the country. I believe it was the only elementary school in the place, but the managers said if the workhouse children were sent there they would charge a fee of 1s. a week.

Amendment proposed, in page 2, line 25, leave out all after "provided that," to end of sub-section, and insert "the fee for any such child shall not exceed sixpence a week."—(*Mr. Pickersgill.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(11.30.) SIR W. HART DYKE: I hope the hon. Member will not press the Amendment. It is more convenient that we should adhere to the average fee as our guide, than insert a rigid maximum.

*MR. SUMMERS: I hope the right hon. Gentleman will re-consider that decision. In some schools a fee of more than 9d. is exacted, and the exaction of such a fee may be used to prevent children, who have a statutory right to do so, from attending school.

SIR W. HART DYKE: It is not a matter of very great importance. Hon. Members refrained from dividing the Committee just now, and therefore I think they deserve some recompense. I will therefore agree to the Amendment.

Question put, and agreed to.

MR. SYDNEY BUXTON: The next Amendment is in my name. It deals with an entirely Departmental question, and ensures that Parliament should be kept informed of what the Department is doing.

Amendment proposed,

In page 2, line 27, after "child," to insert "the Education Department shall report annually to Parliament all cases in which they have sanctioned the imposition or augmentation of fees under this section, with a statement of the amount of fee permitted, and a report in the character of the buildings, staff, curriculum, and quality of the instruction in each case."—(*Mr. Sydney Buxton.*)

Question proposed, "That those words be there inserted."

*SIR W. HART DYKE: I have no objection to that.

Question put, and agreed to.

(11.35.) SIR R. TEMPLE (Worcester, Evesham): I have to move the omission of Sub-section 2, which empowers the Education Department to approve a charge or increase of fees in any particular school, on the express condition that the amount received, or a specified portion thereof, should be

taken in reduction of the fee grant otherwise payable.

Amendment proposed, in page 2, line 28, to leave out Sub-section (2).—(*Sir R. Temple.*)

Question proposed, "That Sub-section (2) stand part of the Clause."

*Sir W. HART DYKE: This subsection is intended to give some elasticity to the Bill, and freedom to the Education Department with regard to the reduction of fees, and I think it necessary to meet some emergencies which may arise. It may be necessary, for instance, to re-open a free school as a fee school. The Department will only interfere when appealed to by the locality.

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 28, after "may," to insert "if they think fit."—(*Mr. F. S. Powell.*)

Question proposed, "That those words be there inserted."

Viscount CRANBORNE: I think my right hon. Friend will see that some such words as these are really required. It has been already indicated in the first sub-section that the Education Department may, or may not, withhold their approval of proceedings under the clause, and Sub-section 2 is intended evidently to give the Department power to impose an express condition. I desire to make it clear that it shall not be absolutely necessary for the Department to impose any express condition, and I would ask the right hon. Gentleman to accept the words of which I have given notice, "if they think fit make it an express condition of such approval."

*Sir W. HART DYKE: I am willing to accept the Amendment of the noble Lord.

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, lines 28 and 29, to leave out "give such approval on the express condition," and insert "if they think fit make it an express condition of such approval."—(*Viscount Cranborne.*)

Agreed to.

Sir R. Temple

Mr. LLOYD-GEORGE (Carnarvon, &c.): I will explain very shortly why I move the next Amendment. By the first sub-section of this clause the House empowers the Education Department to authorise the imposition of a 6d. fee under certain circumstances, and I propose now to make it an express condition that technical instruction shall be given. I think classes ought to be formed for imparting such education to children.

The CHAIRMAN: It does not appear to me that this is within the scope of the original Resolution on which the Bill was brought in.

Mr. LLOYD-GEORGE: My Amendment is intended to refer to specific subjects which are mentioned in the Elementary Education Code. I am willing to alter my Amendment, by substituting "specific subjects" for "technical education."

Amendment proposed,

In page 2, line 31, to leave out "taken in," to end of sub-section, and insert "applied in such schools for the teaching of such specific subjects as are within the meaning of 'The Technical Instruction Act, 1889,' and the teaching of such specific subjects as shall from time to time be prescribed by the Code of Regulations issued by the Education Department, and that such increased fee shall only be charged for and in respect of the children actually in receipt of such technical education or being taught such specific subjects."—(*Mr. Lloyd-George.*)

Question proposed, "That the words 'taken in' stand part of the Clause."

*Sir W. HART DYKE: Being myself a strong supporter of technical instruction I cannot object to the Amendment, but I think it will restrict the school curriculum unnecessarily, and therefore would ask the hon. Member not to press it.

(11.45.) Mr. LLOYD-GEORGE: May I point out that the matter will be entirely in the hands of the Education Department to determine what the subjects shall be.

Mr. JESSE COLLINGS: It seems to me that if the Amendment is accepted the unfortunate boys who go to the school to which it is applied will be able to learn nothing but specific subjects, and nothing outside those subjects.

MR. MUNDELLA: I think it would be a very dangerous thing to put a curriculum into an Act of Parliament.

MR. T. ELLIS: I understand the right hon. Gentleman the Member for West Birmingham is anxious to have a certain class of schools where higher education is given. This Amendment would secure that. I hope the Government will allow progress to be reported, and before the House meets again reconsider their decision.

MR. J. CHAMBERLAIN: The hon. Member wants to make of a school under these exceptional circumstances something in the nature of a technical school. It may be that the position of the school is such that it is not suited for a technical instruction school, and that it would be far more suitable that it should be devoted to ordinary education.

MR. A. DYKE ACLAND: I do not think it would be advisable to lay down a hard and fast rule, because in the case of a shifting population it might be necessary to alter the character of a school. I would suggest to my hon. Friend to withdraw the Amendment.

(11.50.) MR. LLOYD-GEORGE: I will accept the advice of my hon. Friend.

Amendment, by leave, withdrawn.

SIR R. TEMPLE: I beg to move the omission of Sub-section 3, and to report Progress.

THE CHAIRMAN: Order, order! The hon. and gallant Member must choose one of the two Motions. He cannot make both at once.

SIR R. TEMPLE: Then I move to report Progress.

Committee report Progress; to sit again to-morrow.

*MR. W. H. SMITH: I have to give notice that I will to-morrow, in accordance with what I understand to be the general wish of the House, move to suspend the 12 o'clock Rule in order that the consideration of the Bill in Committee may be concluded.

MR. MUNDELLA: Although I do not like to oppose the right hon. Gentleman, and although we desire very much to get the Committee stage completed to-morrow, I cannot assent to this Motion.

*MR. W. H. SMITH: I do not wish to ask the House to sit to a late period, but it would be better to sit for half an hour longer than postpone the Bill until another day.

MR. E. ROBERTSON (Dundee): Can the Motion of which the right hon. Gentleman has given notice be debated?

*MR. SPEAKER: No.

MR. E. ROBERTSON: Then I appeal to the right hon. Gentleman not to press the Motion, considering the rapid progress we have made.

MR. BARTLEY: When will the Report stage be taken?

*MR. W. H. SMITH: If the Committee stage is finished to-morrow the Report will be taken on Tuesday.

MR. SEXTON (Belfast, W.): If the right hon. Gentleman makes the Motion I shall propose to extend it to the Redemption of Rent (Ireland) Bill.

WESTERN HIGHLANDS AND ISLANDS (SCOTLAND) WORKS BILL.—(No. 396.

SECOND READING.

Order for Second Reading read.

(12.0.) Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

DR. CLARK (Caithness): I do not object to the Bill being read a second time, but I think it should be extended, and the powers it confers should be given to the whole County Councils of the North. I think there will be one or two Amendments required to carry out the pledge given to the hon. Member for Ross-shire that the expenditure of the £15,000 is to be determined by the County Council of Ross-shire. I trust the Secretary for Scotland will take his cue from the County Council of Ross-shire. I think the £2,000 limit is too low. Every one of the grants will be below that sum.

DR. McDONALD (Ross and Cromarty): I hope the Government will make some promise that they will redeem the pledge with reference to the £15,000 being spent with the consent of the County Council of Ross-shire.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): As regards the point that the Bill ought to have a more extended application, I may say it does not profess to enlarge generally the powers of County Councils, but is merely founded on the grant which has been given for the much more limited purpose of carrying out certain works in certain counties. It would be stepping into a totally different region of legislation if we dealt with other counties than those dealt with under the grant. As regards the second point, namely, what was said by the Chancellor of the Exchequer as to the roads in the Islands of Lewis—the Government adhere entirely to what my right hon. Friend said. It is not necessary, and it would not be appropriate, to insert in the Bill that the grant will be administered in accordance generally with the views of the County Councils as to the requirements of roads, but as a matter of administration they will see that that policy is adhered to. I am happy to say, from what we learn, that the engineer, who is now in the district, is harmonising the views of the Local Bodies with those which are entertained in the Scottish Office. As to the third point, the £2,000 limit, I should rather doubt whether the hon. Member for Caithness is quite accurate in saying that all the grants will be above £2,000. It is expected that there will be a considerable number of comparatively minor works, which will not require anything more than £2,000. The hon. Gentleman should have observed there is a certain elasticity in the provisions of the Bill, because in especial cases the Secretary for Scotland may extend the operation of the Act beyond the pecuniary limit which has been prescribed. I have no doubt the House will be anxious to proceed with the Bill. It is entirely executive, and I am certain we shall have the co-operation of gentlemen in all parts of the House in getting the Bill through as rapidly as possible.

(12.7.) Question put, and agreed to.

Bill read a second time, and committed for Monday next.

EVIDENCE BILL [LORDS].—(No. 335.)

SECOND READING.

Order for Second Reading read.

(12.7.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I beg to move the Second Reading of this Bill. I do not believe there is any contentious matter in it; therefore, I trust hon. Members will allow it to be read a second time.

MR. SEXTON (Belfast, W.): I believe the hon. Member for Longford (Mr. T. M. Healy) has a strong objection to the Bill.

SIR R. WEBSTER: This is not the measure the hon. Member is thinking of. The object of this measure is simply to consolidate the law of evidence.

MR. SEXTON: To make no change in the law?

SIR R. WEBSTER: None whatever.

Bill read a second time, and committed for Monday next.

REDEMPTION OF RENT (IRELAND) BILL.—(No. 377.)

SECOND READING.

Order for Second Reading read.

(12.11.) MR. SEXTON (Belfast, W.): I would repeat the question addressed to the Government on a previous occasion by the hon. Member for South Tyrone as to what steps the Government propose to take to proceed with this Bill. I understand it is not opposed except by one hon. Member.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): As I have stated before, the object of the Bill is of a very restricted character, and therefore it will not come within the category of controversial measures referred to by the right hon. Gentleman the First Lord of the Treasury to-day. That being so, I will consult with my right hon. Friend as to what steps should be taken to enable us to deal with the Bill. I understand that hon. Members are not unfavourable to the passing of the Bill.

Second Reading deferred till to-morrow.

TURBARY (IRELAND) BILL.—(No. 378.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

(12.14.) MR. SEXTON (Belfast, W.): In line 11 the words "may purchase the same" occur, and are merely a repetition of words in line 7. I think it would be as well to leave them out, so as to make the words in the first part of the clause of general application.

Amendment proposed, in page 1, line 11, to leave out the words "may purchase the same."—(*Mr. Sexton.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

MR. SEXTON: Sub-section 3 provides that the Land Commissioners, before purchasing any bog, shall be reasonably satisfied that they will ultimately realise by means of the bog an amount sufficient to repay the purchase money with interest at the rate of 3 and one-eighth per cent. per annum. I would suggest that the interest should be 3 per cent.

Amendment proposed, in page 1, line 24, to leave out "and one-eighth."—(*Mr. Sexton.*)

Question proposed, "That the words 'and one-eighth' stand part of the Clause."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): As this is a matter of finance, about which it is difficult to give a decision off-hand, I would appeal to the hon. Member to defer the Amendment to the Report stage.

Amendment, by leave, withdrawn.

Other Amendments made.

Bill reported; as amended, to be considered on Thursday next.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 189.)

As amended, considered; read the third time, and passed.

MR. CAUSTON (Southwark, W.): I hope that when charges of obstruction are levelled at hon. Members on this side of the House the Government will remember the rapid progress we have allowed them to make with this measure, which has practically been taken without discussion through all its stages. ["Order!"]

RANGES BILL.—(No. 399.)

SECOND READING.

Order for Second Reading read.

*(12.21.) THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): In moving the Second Reading of this Bill, I desire merely to say that it is introduced to give effect to a recommendation of a Committee moved for by a hon. and gallant Gentleman behind me, and on which all sides of the House were represented. A difficulty has been found in obtaining ranges for Volunteers, and the object of the Bill is to enable Volunteers to obtain by means of the Provisional Order system land for ranges, and to obtain funds for the purpose from the Public Works Loans Commissioners. The repayment will be spread over a term of years. Where more than one Volunteer corps is concerned power is given to the Local Authority to obtain money for this purpose. There are other powers to simplify the acquisition of land. The Bill is strictly within the recommendations of the Committee which took evidence on all the points involved. I think, therefore, that all sections of the House will unite in giving additional facilities to Volunteers for the acquisition of ranges, which at the present moment are difficult to obtain.

COLONEL NOLAN (Galway, N.): I quite agree with this Bill. I think it is a very moderate Bill, but I reserve to myself the right of proposing some alteration in the clauses in Committee.

Bill read a second time, and committed for Monday next.

LOCAL GOVERNMENT (SCOTLAND) ACT (1889) AMENDMENT BILL.—(No. 359.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 2.

Question proposed, "That the Clause stand part of the Bill."

(12.27.) MR. A. ELLIOT (Roxburgh): As we have had no statement of any sort or kind as to the object of this Bill, I should like to know what its object is.

MR. E. ROBERTSON (Dundee) was understood to explain that the object of the Bill was to remove the exceptional position of the public health rates, and to assimilate them to the other County Council rates.

MR. A. ELLIOT: I do not think the explanation of the hon. Gentleman satisfactory. I think we should have a fuller explanation of the meaning of the clauses.

MR. CRAWFORD (Lanark, N.E.): At the present moment it is almost impossible for the county clerk of Lanarkshire to present the accounts in an intelligible form. As to the classification of rates, they stand thus. The Poor Law Act for Scotland was passed in 1845. It was then enacted that parishes should establish for themselves a different or classified kind of rating, according to the nature of the industry, so that farmers should be rated at a lower rate than proprietors, or than other occupiers of land or heritages in Scotland. That power was quite optional, and there was no necessity for its being used. Each parish might have a different form of classification. That experiment of classification has never been repeated in Scotland in any other county rate, and when the Public Health Act was passed in 1867, it was a mere accident that the principle of classification was extended to that Act, and that accident arose in this way, that the administration of the Public Health Act was handed over to the Parochial Boards, corresponding to the Boards of Guardians in England —[*Cries of* "Agreed!"]

COLONEL NOLAN: I object if the hon. Member is going to make a speech. I am willing to let the Bill pass, but I am not going to sit up to hear a speech.

It being Midnight, and Objection being taken to Further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

HIGHWAYS AND BRIDGES BILL.

(No. 384.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time.

(12.35.) SIR J. DORINGTON (Gloucester, Tewkesbury): I have been in communication with the hon. Member for Scarborough, the Corporation of which borough will not be, as it thought, affected by this Bill, and the hon. Member's objections have been met.

MR. KELLY (Camberwell, N.): I object to that part of the Bill which allow the County Councils to make contracts for material with any of its members. That is a system which justly causes jealousy among outside contractors, and I suggest that there should be an absolute limit of £50 imposed.

SIR J. DORINGTON: It is proposed to place such contracts within very narrow limits.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): I shall not oppose the Second Reading, but it will be necessary to postpone the Committee stage for a few days to admit of Amendments being prepared.

Question put, and agreed to.

Bill read a second time, and committed for Wednesday next.

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF LORDS,

Friday, 3rd July, 1891.

COMMISSION.

The following Bills received the Royal Assent:—

1. Customs and Inland Revenue.
2. Consolidated Fund (No. 2).
3. Pollen Fisheries (Ireland).
4. Savings Banks.
5. Museums and Gymnasiums.
6. Reformatory and Industrial School Children.
7. Russian Dutch Loan.
8. Public Accounts and Charges.
9. Herring Branding (Northumberland).
10. Presumption of Life Limitation (Scotland).
11. Cork (County and City) Court Houses.

LAW AGENTS AND NOTARIES PUBLIC (SCOTLAND) BILL.—(No. 198.)

Returned from the Commons with the Amendments agreed to.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Friday next. (*The Lord Ashbourne*). (No. 209.)

INFLAMMABLE CARGOES IN PASSENGER SHIPS.

*EARL DE LA WARR, in rising to ask Her Majesty's Government whether some regulation might not be enforced to prevent inflammable substances being carried as cargo in passenger ships, and to move a Resolution, said: My Lords, I rise to move for a Report of the Board of Trade relative to the recent outbreak of fire in the cargo of the *City of Richmond* liner while crossing the Atlantic. Until the Report which I have asked for is before your Lordships I cannot enter minutely into any particulars relative to the recent accident to this great steamship from the fire which occurred on board on her last voyage. We do not, of course, know for certain the exact cause of that accident, whether it was owing to carelessness or whether it was from spontaneous combustion in the cargo. It is, I believe, a well known fact that under certain circumstances in bales of cotton (which formed the chief cargo of this vessel), closed up in a ship's hold, and which has been in contact, either before being put on board the ship or after it is shipped, with any drying oil such as painters use, chemically speaking, oxygen is produced, which subsequently goes on to produce combustion. It is impossible until the Report is given to your Lordships to say much on this point, but I think we may take it as almost certain that this was the cause of combustion in the present instance. Other substances of a greasy nature will also, I am informed, produce chemically the same effect. It is not at all, as your Lordships are aware, an uncommon thing to happen for the contact of two substances to produce combustion. For me to enlarge on this now is unnecessary, but there is a question arising out of it of the greatest importance, which is referred to in the latter part of what I have proposed for your Lordships' consideration — whether regulations could not be enforced to prevent, or at least to control and specify, the conditions under which such inflammable and dangerous cargoes may be shipped on passenger vessels. It is the practice, as your Lordships are aware, to put large cargoes of cotton on board those ships, especially vessels trading between England and America, a large number of the best of the Atlantic carrying-ships, being at the same time for passengers. The large liners are fitted, as your Lordships know, in the best manner for the conveyance of passengers with every convenience, and also with every provision for safety. They are well manned and well commanded; but unknown probably to most of the passengers who travel by them there is this quantity of material taken on board, which, under certain circumstances, is very likely to ignite. Such was the case with the *City of Richmond*. After having left the coast of America, and proceeded some three or four days on her voyage, at midnight, in the middle of the Atlantic, the alarm of "Fire!" was heard. It was blowing at the time a heavy gale, and there was a heavy sea running. The greatest consternation naturally prevailed; and though the fire could not be extinguished, it was happily kept under until some vessels were sighted, which

came to her assistance, and helped to conduct her safely to Queenstown. Now, on board that ship there were nearly 300 passengers, and a crew, I think, of 146, making a total of about 450 persons, who for some time were in the greatest possible danger; but providentially, by the arrival of those ships, with the help which they rendered, the vessel was brought safely to Queenstown without any loss of life. It is a case which I have thought it right to bring before Her Majesty's Government and the Board of Trade for their consideration, to see whether anything can be done under the circumstances I have mentioned to prevent these large ships, which are carrying 300 or 400 passengers, being exposed to such a danger, probably the greater part without their knowing it; whether it would not be proper that the Board of Trade should have the power of regulating, if not, as would, I think, be preferable, of preventing passenger ships carrying large cargoes of an inflammable nature such as, under certain circumstances, cotton is. I would move, therefore, for the Report of the inquiry which has probably been made by the Board of Trade into this accident, and, at the same time, I would ask Her Majesty's Government to consider whether such regulations as I have suggested could not be enforced, or, if not, the carrying of inflammable cargoes by passenger ships prevented altogether without the consent or under conditions imposed by the Board of Trade.

Moved, "For Report of the Board of Trade relative to the recent accident on board the Inman liner 'City of Richmond.'"—(*The Earl De La Warr.*)

*THE EARL OF RAVENSWORTH: Before the noble Lord rises to reply perhaps I may be allowed to say a few words on this matter. It is quite natural that a Peer who takes such an interest in all that concerns the safety of Her Majesty's subjects as does the noble Earl should be moved by the occurrence of so great and mysterious an accident as that which happened on board the *City of Richmond*, and I have no doubt the production of the Board of Trade's Report, for which the noble Lord moves, will be a document of very great interest to himself and to others. In the absence of that Report, I should be indisposed to make any observations upon a matter with the details of which I am not yet acquainted; but I should like, in reference to the second part of the question of the noble Lord, to be allowed to make two or three observations—they will be very short. Your Lordships are probably well aware of the circumstances under which the Atlantic navigation is conducted. It is one of the wonders of the world, and the noble Earl himself has done justice to those who conduct that navigation. It is carried on under the strain of very close competition, and under circumstances which entail enormous cost; and I would venture to tell the noble Lord that, unless cargoes were carried in passenger ships, it would be impracticable and perhaps impossible to carry on that navigation at all. The strain of competition is excessive with regard to the accommodation given on board these vessels, which is so well known to many noble Lords that I need hardly remind them of it; it may generally be said that it is more luxurious and costly than can be found in many private houses. The rate of speed maintained by them is another of the commercial triumphs of the present day, and that also is achieved at an enormous cost; and I repeat that unless these magnificent liners were enabled to carry cargo they must travel at a greatly reduced rate of speed. Then comes the question which the noble Lord raises: he wants some regulation to be enforced to prevent inflammable substances being carried on board these passenger ships. But I would ask the noble Lord what are inflammable substances? Probably one of the most inflammable cargoes, as far as I know, is coal, and as we know from bitter experience on many occasions explosions have occurred from spontaneous combustion on board coal-laden ships; but I have never heard it suggested that regulations should be framed to prevent ships—passenger or otherwise—carrying coals. A Committee of the other House of Parliament sat for a long time inquiring into this question of the spontaneous combustion of coal cargoes on board ship. I do not remember the substance of their Report, but I imagine the noble Lord, who will speak on behalf of the Board of Trade, will be able to tell us something with regard to coal-laden vessels. All steamers must, of course, carry some

considerable quantity in the shape of their complement of coal. But there are many other substances besides coal which are of an inflammable nature, and the noble Lord has alluded to cotton. I would remind him that cotton is one of the greatest staples of the Atlantic trade. It is largely carried on board these Atlantic steamers. I would remind him of another very important freight, namely, mineral oil. I do not know that many of your Lordships are well enough acquainted with the trade to know whether the carrying of mineral oil on board of passenger steamers is permissible by law; but what I would remind your Lordships of is this: that anybody going down the Thames below London will see acres of ground in places closely packed with barrels, all containing petroleum, and those spaces of ground on either side of the river are surrounded by timber yards and dwellings, and are in the midst of a dense population. It is impossible to say what extent of calamity might occur in the event of a serious fire happening in those neighbourhoods. I only say that if precautions are necessary to be taken—and they are very necessary to be taken—on board our ships they are equally required in the places I have mentioned. Almost all cargoes are more or less inflammable, and when it is urged that additional regulations and restrictions are necessary to be imposed on the owners of these liners, I hope, and believe, that the Board of Trade will be extremely cautious in giving any pledge on the subject in the answer which may be given. Noble Lords must remember that if unnecessary or too stringent regulations are imposed on men who are thoroughly competent to conduct their business the business must suffer. The noble Earl has himself paid a thoroughly well-deserved compliment to the splendid manner in which these liners are served and worked; they are managed by large private owners who understand their business, and every possible precaution is taken at considerable cost to ensure safety, although every precaution is not supposed to be taken at present by the owners and by those responsible for the management of those great lines. I only hope this occurrence may not be made a handle for imposing what I may call overstringent regulations upon the shipment of cargoes, because such a course would inevitably defeat itself in face of the close and severe competition which exists between our great ocean lines of steamships and those of the Continent. The effect would be rather to increase than diminish the chances of accidents at sea, inasmuch as such restrictions do not exist with regard to foreign vessels, and the result of imposition of restrictions might be to make competition with them impossible on this side of the water, and to throw the trade very largely into the hands of those who are not subject to the same restrictions. I venture to make these few observations in justice to those concerned in our Atlantic navigation, and for the purpose of pointing out that the imposition of restrictions upon that trade would be simply to prevent these magnificent steamers running as they do.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, I should like to say at once that I think it is impossible to overestimate the importance of the question which the noble Earl has brought before the House, and which has been spoken to by the noble Lord (the Earl of Ravensworth). Unfortunately, this subject is not a new one. There have been many fires in cargoes of cotton carried across the Atlantic, and there have been very many inquiries made by officers of the Board of Trade on the subject. In any case which seems to present any especial or new circumstances, or anything which cannot otherwise be explained, it has been the custom of the Board of Trade to hold an inquiry; but in this particular case no special inquiry has been held, and I will tell the House for what reason. These inquiries are held sometimes weeks afterwards, and when the facts have to be brought out sometimes secondhand, and consequently without any opportunity of actual observation on the part of the officers who hold the inquiry. In the case of the *City of Richmond* the Board of Trade got notice from Queenstown that a casualty had happened on board under the circumstances which the noble Earl has described. The Board of Trade telegraphed to Mr. Laslett, their Surveyor at Liverpool, desiring him to wait for the arrival of the ship, and attend during the whole time the cargo

was being discharged, so that he might observe personally as much as could be seen, and therefore he had not to wait until any actual evidence which could be got in that way had passed from the possibility of being procured. There is no doubt serious risk of such casualties as this in cotton cargoes, and various theories have been put forward to account for the circumstances. The noble Earl who introduced the question seems to give some credence to the idea of spontaneous combustion, but I think, as the result of inquiries previously made, not only by the Board of Trade, but by the underwriters, by Lloyd's, and by the shipping community themselves in this and foreign countries, that idea is, if not discredited, at any rate much less generally held now than was the case a few years ago. I have endeavoured to put together some information from documents in possession of the Board of Trade which will convey to the House something of the knowledge we already possess. I should be sorry to trespass at any length on the time of the House in answering the question, but I think the extreme importance of the subject is generally acknowledged, and I will endeavour to put the matter as briefly as I can before your Lordships. In the last 10 years there have been 171 fires on cotton-laden ships crossing the Atlantic from America. Of these 81 occurred in the port of loading, 45 in the port of discharge, and 45 during the voyage. I call your Lordships' attention to the fact that out of the total number 81 have occurred in the port of loading. If spontaneous combustion were usually the cause, it is obvious that it would occur after the cotton had a little time to heat, and not so much in the early days after loading. Therefore, *primâ facie*, at any rate, that experience goes a good deal against the theory. I have looked through the tonnage of the cotton loaded at the different ports in America, and compared that tonnage with the number of fires which have occurred in ships coming from each of the ports, and I find that the number of fires is not very disproportionate to the number of ships leaving each port. I therefore think I am entitled to conclude that the fires do not occur, so far as America is concerned, from any local causes or causes which are prevalent in one port more than another, but from causes which are very general over the American Continent. Now, America is only one source of the cotton supply to this country, though undoubtedly it is the largest. We also get cotton from Brazil, Egypt, and India, very small quantities from Brazil and Egypt, but considerable quantities from India, the average from India reaching nearly 6,000,000 cwt. a year. Therefore, I will take the shipments from India for comparison with those of America. During the nine years up to 1887 only four fires have occurred in regard to Indian cotton, and since then there has not been a single fire in any cotton cargo from India. From that I am inclined to infer that the danger is not necessarily inherent in the cotton, but is probably due to some different circumstances of treatment or of packing. It is an absolutely admitted fact by almost every Court of Inquiry held under the Board of Trade, by the Committee of Lloyd's, and by Committees which have sat in America that the packing of cotton there, and its transit from the cotton-growing districts to the port, are not nearly so satisfactory in America as in the other places, especially India, which I have mentioned. Although, as I have said, there is no Report in the sense that the noble Earl has indicated, the Board of Trade Surveyor at Liverpool (Mr. Laslett), has made two Reports; and if it will meet the noble Lord's view I shall be glad to lay them on the Table. They deal exhaustively with all that can be said about the *City of Richmond*, which is the subject of the noble Lord's question. Among the causes of fire in cotton which have from time to time been suggested are matches left carelessly about while the cotton has been loaded, as has sometimes been proved to be the case at American ports. Indeed, the amount of carelessness shown is almost incredible. Another common cause is that a spark gets into the cotton through a ventilator or some aperture or otherwise after it has been stowed. I call your Lordships' attention to the importance of good packing. Tightly packed and well covered bales of cotton are less likely to catch fire than when they are loosely put together in a haphazard way, and it is one of the difficulties encountered in our inquiries that if a

spark falls upon cotton it is often proved to have run along the edges of the bales until it has come upon some half-packed or improperly packed bale, where it settled. That is one cause which will account for some of the fires occurring in cotton cargoes coming from the country where shippers are perhaps least careful in the matter. There is no doubt whatever that but for the modern appliances with which the *City of Richmond* was fitted this casualty would have been much more serious. It was owing to the efficient machinery in the vessel for forcing steam upon the burning cotton that the fire was kept under as much as it was. I concur with the noble Earl who spoke last as to the competency of the shipowners to conduct their trade. I give them due credit for the efficiency of their appliances, but, at the same time, I must point that in the case of the *City of Richmond* this cargo of inflammable material was packed directly under the passenger accommodation, and that seems to me to be by no means a comforting fact. With regard to the second part of his question, I have to point out that there are no powers in the Board of Trade to make any regulations to prevent inflammable substances from being carried as cargo on passenger ships. Everything has been done to diffuse information on the subject, to show the necessity of careful packing, of stopping up every possible inlet by which sparks can get to the cargo, and of stopping the supply of air from the outside in case of fire breaking out in the cotton, which assists strong and rapid combustion. I would be very unwilling to propose any unnecessary restrictions on the trade with America in regard to the carriage of cotton cargoes, especially when that trade is so highly subject to competition; and in the first instance I should, I must confess, like to see the authorities principally concerned take further precautions at their own instance. If they would do so, and bring pressure to bear upon those engaged in the trade on the other side of the Atlantic, much good might be done, and possibly some further pressure might be put upon insurance agents to induce them to put pressure upon the companies to assist by raising premiums or in some other way. I am not authorised to say that the Board of Trade will attempt to legislate in this matter; but unless something can be done on the initiative of those chiefly concerned, I confess I think a strong case may possibly hereafter be made out for so doing. I do not think I need say anything more on the present occasion, but repeat that if the noble Lord will, with the permission of the House, withdraw his Motion, and propose that the Report of Mr. Laslett to the Board of Trade on the matter be presented, I shall be glad to lay the Report on the Table.

*EARL DE LA WARR: As I understand the noble Lord now to say that there is a Report extant on this occurrence, I shall be happy to adopt that course; but I thought the noble Lord said, in the first instance, that no formal Report had been made with regard to the *City of Richmond*.

*LORD BALFOUR OF BURLEIGH: There is no special Report, because no inquiry has been held; but I can assure the noble Earl that all the information that could be obtained regarding the *City of Richmond* is contained in this Report which I offer to lay on the Table.

*EARL STANHOPE: My noble Friend says that a strong case may possibly be made out hereafter for legislation in this matter; but surely no stronger case could have arisen than that this great passenger ship, carrying so many lives, should be laden with a cargo of cotton. I hope the Board of Trade will direct their attention to preventing passenger ships carrying such inflammable cargoes as cotton and mineral oils. It is all very well to say that injustice will be done to the owners of these great liners which cross the Atlantic, and other oceans, by hampering them with restrictions in their competition with foreign vessels; but I do hope, speaking on behalf of the public, and as an occasional traveller in these vessels myself, that the Board of Trade will consider the matter with a view to legislation.

*EARL DE LA WARR: Do I understand the noble Lord (Lord Balfour of Burleigh) to say that no cases of combustion in cotton cargoes on board passenger ships have been traced to substances which might have been brought against the cotton either while on board or before it had been brought on board the vessel?

*LORD BALFOUR OF BURLEIGH: I did not assert the negative; I cannot say that no such cases have occurred, because the real origin of many of the fires which have undoubtedly been traced to cotton cargoes is obscure. They may have arisen from spontaneous combustion, which, however, as I have said, seems to be now rather a discredited theory in these cases, or, as some think, they may have been caused by electricity being generated from the iron bands encircling the cotton. Certainly I cannot assert the negative. All I can say is, that I think the information we possess from various sources in the inquiries which have been held points rather to the source I have indicated; that is, carelessness in packing rather than to the theory of spontaneous combustion; but I will not go so far, certainly, as to say that no such case has ever occurred.

*EARL DE LA WARR: I beg to move that the Returns which have been offered by the noble Lord be laid on the Table of the House.

Motion, as amended, agreed to.

CHELSEA HOSPITAL AND PUBLIC EXHIBITIONS.

*THE MARQUESS OF RIPON, in rising to ask the Paymaster General whether he can give any assurance that the Gardens of Chelsea Hospital shall, at the close of the present Naval Exhibition, revert to their former use as pleasure grounds freely open to the public; and that no part of the land scheduled in the Act 7, George IV., chapter 16, shall be diverted from this purpose, said: My Lords, I am anxious to learn from the noble Lord the Paymaster General what are the intentions of the Commissioners of Chelsea Hospital with respect to the Gardens attached to that Institution? As your Lordships are well aware, a large portion of those gardens have for the last two years been used for the purpose of Exhibitions—in the first instance, for the Military Exhibition, which was held there last year, and now for the Naval Exhibition going on at the present time. These Gardens have for a long period, longer than I can trace back, been freely open to the public as a place of recreation. Persons of all classes and ages have used them continually with evident enjoyment. Now, those two Exhibitions have greatly encroached on the space at the disposal of the public for purposes of recreation. I think I may say it is an established principle in these days that every effort ought to be made to preserve our open spaces to the utmost extent. My noble Friend, Lord Meath, as we all know, has done a great deal by the Society of which he is at the head, not only to preserve open spaces but to increase their number; and the smallest available pieces of ground in London have been taken up with that view. Now, here we have a considerable open space, a large portion of which has been occupied for the last two years for purposes which certainly exclude the public—using the word in its largest sense—from the use of these gardens which they had previously enjoyed. But, besides the general public, there are other persons who have an interest in the free use of these gardens, that is to say, the pensioners themselves. I was somewhat struck at receiving a letter last night from one of the old pensioners in the Hospital, saying that he had seen a statement that I was going to ask a question in Parliament on the subject; that he "begged to say it was the right of the pensioners to enjoy these gardens, and he did not see why they were to be turned out by Exhibitions." I must say I think that old soldier had a great deal to say, both for himself and his fellow pensioners, from that point of view. But, although I am putting forward, and most sincerely putting forward the public interest in this matter, and claim to have these open spaces preserved for the public, I do not say that is the only ground on which I put the question to the noble Lord to-night. No doubt there are private interests which are very much concerned in this matter, and all those who live in the neighbourhood of these gardens have undoubtedly suffered a considerable amount of inconvenience from their being devoted to this unexpected purpose. I am myself one of those residents, and no doubt, in common with all those who live in that neighbourhood, I have suffered a certain amount of inconvenience; but there are persons residing close to these gardens whose houses indeed abut upon them who have suffered really serious injury from the

existence of these Exhibitions. They have even suffered, I know some of them, in health. The noise is continuous; there are rows of cabs and omnibuses drawn up in front of the houses, and producing those odours which are apt to proceed from bodies of this description. The whole character of the neighbourhood has been materially changed, and certainly the residents there have been put to a very large amount of discomfort and inconvenience. If this were done for some great public object of course private interests must give way. I should be the last person to urge private against public interests; but I have endeavoured to show that the real broad public interest lies on the same side in this case as private interests, and it is as much for the benefit of the public as of private persons that such large portions of these gardens should not be occupied by similar exhibitions in future, but that they should be preserved as hitherto for free public use. When the first exhibition was proposed last year, it was felt that a Military Exhibition might not inappropriately be held in the gardens of Chelsea Hospital, although there was a good deal of lamentation about the noise, the trees that were ruined, and permanent damage that was done in that way. However, those concerned did not like to interfere in that case. Then came the Naval Exhibition, but, of course, no Englishman would like to do anything that would seem to interfere with the Navy, and so we held our tongues. But now we are threatened with future exhibitions, and I think the time has come when we may make an appeal to the Chelsea Hospital authorities, through the noble Lord, to preserve these gardens. The purposes of the two great Services of the country have been served by the two Exhibitions, and I think we may now very well ask that they shall not be put to further use of the same kind. There is one further matter. A rumour has been put about that the authorities propose to sell this ground, or part of it, for building purposes, or to let it on building leases. I think that would be a very improper step to take, and I hope the noble Lord will be able to assure us that there is no foundation for the report.

*THE PAYMASTER GENERAL (Lord WINDSOR): My Lords, I can well understand the feelings and motives which have prompted the noble Marquess to put this notice upon the Paper. Certainly I can understand it from anyone who had enjoyed the comparative seclusion and quietude of Chelsea Embankment and Cheyne Walk and that neighbourhood, but the question he has put upon the Paper deals rather with two separate matters: in the first place with regard to the Exhibitions themselves, and in the second place as to the use that is to be made of the land upon which these exhibitions have been held. In reply to the first part of the question I may say that the Commissioners of Chelsea Hospital have considered that the Military and Naval Exhibitions stand upon a totally different footing from any other Exhibition, and in putting the gardens of the Hospital at the disposal of the promoters of those Exhibitions, their chief consideration was that they thought they were conferring a real benefit upon those two Services, rather than as regarding the Exhibitions from any other public point of view. I can, therefore, say that the Commissioners of Chelsea Hospital have no intention whatever of giving the use of these Gardens to other persons for Exhibitions of a more ordinary character, and that at the close of the present Naval Exhibition the land that has hitherto been open to the public will again be free to them. But the latter part of the noble Marquess's question embraces rather a wide field, upon which I must say a few words. There is a plot of land, about $3\frac{1}{2}$ acres in extent, which is now covered by a part of the Exhibition buildings. When the Gardens were, I think, first thrown open to the public that plot was under a lease which only expired in 1890, last year, just before the Military Exhibition occupied the ground. That piece of land, therefore, has never as yet, so far as I know, been opened to the public; and, furthermore, I may point out, that at the time the Act was passed to which the noble Marquess refers, 7th Geo. IV., cap. 16, this piece of land was described as then under lease, and it was certainly not at that time open to the public. Upon one more point I have to say a few words—as to the form of the question. The noble Marquess asks for a rather wide assurance that no part of the land scheduled in the Act 7, Geo. IV., cap. 16,

shall be diverted from this purpose, that is to say, as a pleasure ground, I presume freely open to the public. What I wish to point out is, that the land scheduled in that Act includes every bit of the land held by the Chelsea Hospital Commissioners. It includes the Governor's house and his gardens, and the actual ground on which the buildings stand. I understand, of course, that what the noble Marquess really means is that all the available ground should be open to the public; but I fear that I am not in a position at this moment to give any definite pledge upon this point, because the Commissioners have not yet, as far as I know, come to a decision upon the use that is to be made of this ground—I think it is called Gordon House, the ground of which the lease has just fallen in. Certainly within the last few months during the time that I have been a Commissioner this matter has not been before the Board, but I can assure him that it will be considered immediately, and necessarily so, because some use will have to be made of the land when the Naval Exhibition is over. But I hope the noble Marquess will be satisfied with the assurance that I can give him now—that at the close of the Naval Exhibition all the land that has hitherto —certainly for the last 40 years—been open to the public at certain times will be again open to them, and that the further question as to the land the lease of which has fallen in, will be at once considered by the Commissioners.

*THE MARQUESS OF RIPON: Then I conclude that that means that there is no intention to sell or let for building purposes, the river frontage, for instance, which would interfere with the land hitherto open to the public?

*LORD WINDSOR: I do not think there is any intention at present of doing so, but I shall be happy to give the noble Marquess early information as soon as the Commissioners come to a decision on the subject.

MORTMAIN AND CHARITABLE USES AMENDMENT BILL [H.L.].—(No. 140.)

House in Committee (according to Order).

Verbal Amendment in Title agreed to.

Clauses 1, 2, and 3 agreed to.

Lord Windsor

Clause 4.

LORD HERSCHELL: There is an Amendment in this clause. It is with the view of introducing a new clause having for its object to carry out what I arranged with the noble Viscount opposite, that the obligation to sell or not to purchase should not apply to land actually required for the purposes of a charity, but only to land which is to be held as an investment.

Amendment moved, in page 1, line 15, after ("but") insert ("except as hereinafter provided"). — (*The Lord Herschell.*

Agreed to.

*LORD COLCHESTER: My Lords, the Amendment I have to move in line 17 is intended to challenge the principle with regard to land left by will to charities having necessarily to be sold within one year. On the Second Reading of the Bill the noble and learned Lord, in replying to my remarks, said that I did not appear to understand the object of insisting upon these sales. My noble and learned Friend will, I trust, allow me to remark that having, as I believe, carefully followed him in his remarks in introducing the Bill on that occasion, I do not understand that he has himself been able to find any principle which underlies the legislation dealing with these bequests in recent times. He said himself, I think, that it was very difficult to say what the principle was, and, for my own part, I will venture to say that it is impossible to find in it one single ray of common sense. If you refer back to remote times, I can quite understand that in periods now utterly past there was a reasonable suspicion of vast accumulations of land from death-bed donations obtained by the clergy; but the period of those donations may be described as a dead past, and there is not the slightest reason why that suspicion should have anything to do with the legislation of the present day. The noble and learned Lord said there might be some difficulties raised in the other House if greater powers were given to charitable bodies to hold land. If there are persons who dwell so much on the notions of entirely bye-gone days, I should say, when the Bill goes down to the other House,

suggest those restrictions if they think them necessary; but I do ask your Lordships not to sanction for a moment a principle of that kind, and to say that there is any reason for inserting these provisions in the Bill. No doubt there are greater objections to large quantities of land remaining inalienably in the hands of charities, but in the great majority of cases I think it may safely be left to the governing bodies of Charities to decide whether land in their possession should be sold or not. There have been instances where Charities have suffered as cruelly as individuals from depreciation in the value of landed property, and, therefore, where that is likely to occur it would be very undesirable that they should retain it; but there are other cases where land rises very greatly in value, and where its retention may very largely increase the resources of the Charity. What I ask, then, is that the Charity Commissioners, a body who have knowledge and experience in these matters, should be allowed to say whether or not these sales should be carried out. It has been suggested that the Chief Commissioners are a body who have incurred some unpopularity. They have had to perform the task of restraining extravagance and mismanagement of every kind which may occur, and that, of course, is not a function which creates popularity, but the contrary, in proportion to the diligence with which it may be discharged. But they are a body who, I think it must be admitted, have exercised well the powers entrusted to them by Parliament in place of those formerly exercised by the Court of Chancery, and they may therefore fairly be trusted with the discretion of saying whether lands given to charity should be sold or not. If the noble and learned Lord's Bill be so amended it will, I agree, be a great boon to charities; but if not, I think its benefits will be very doubtful. As in that case it would not be necessary to part with the land in the lifetime of the testator, much land may be left by will instead of given by deed. I think also when we look at that which is a new but important feature of recent legislation, a passion for uniformity and simplification, the question will be asked, why, if Charities are to be allowed to receive these gifts only on this condition, they should only be permitted to so hold them if given by deed. If these provisions are allowed to remain as they are the Bill will, in my opinion, be productive of more evil than good, and it would be a question whether, in that case its defeat in the other House would be a serious cause of regret. I beg to move the Amendment which stands in my name.

Amendment moved,

In line 17, after ("testator") to insert ("if such sale be consented to by the Charity Commissioners for England and Wales.")—(*The Lord Colchester.*)

LORD HERSCHELL: I certainly did not represent this restriction as one which was solely introduced with the view of meeting objections in the other House. I myself share the objections which I think would be taken elsewhere to permitting accumulations of land which by the proposed alteration in this Bill would be rendered possible in the hands of Charities. It must be remembered that you are by this Bill giving a power for the first time for this purpose, and putting aside certain exceptions which have been made by past legislation—that is to say, a general power to devise the land by will to Charities, which has not hitherto existed at all. I do not think it is desirable that when you are giving that power you should enable Charities to hold, it may be, large quantities of land not required for the purposes of the Charity, but merely as investments. Again, I do not think that Charities are likely to be themselves the best managers of property in such circumstances. Notoriously of late years real property has been subject to great fluctuations in value and in the income produced by it; and in addition to that, I think it is against the policy which has certainly prevailed in later years, and the advisability of which is felt by me I must confess very strongly, that you should not so deal with land as that it is not likely to come freely into the market. I do not think it can be disputed that if land is devised by an individual to a Charity to be held from generation to generation it is less likely to come into the market than land held by individuals; and certainly it has been the policy of late to encourage the

holding of land by as many persons as possible. I do not think anything could be worse than that you should do anything to encourage the ownership of large quantities of land in Charities and prevent its being distributed among a number of individuals. Those are my reasons for objecting to the noble Lord's Amendment. I do not think it would be for the advantage of the Charities themselves, I believe it would be much better that they should have such land converted into money, and thereby have a, comparatively speaking, fixed income on which they can count, rather than that they should hold investments of this description; and I was glad to find that my view was shared by the noble Marquess at the head of the Government. I think that being so it will not be regarded as a radical or extreme view of this matter that a distinction should be drawn between land held for the purpose of a Charity as distinguished from land held as an investment. For these reasons, I cannot accept the noble Lord's Amendment.

THE LORD CHANCELLOR: I venture to mention to my noble and learned Friend that I have received a large number of communications upon the subject of this 4th clause. I do not propose to either move or support any Amendment at present, I will only say that I think it is questionable whether he has not drawn the line too tight in providing that the sale must be carried out within one year from the death of the testator. Upon the other point I quite sympathise with the argument he has advanced, but I think a great deal may be said about the restriction he imposes being too narrow, that is the limit of one year, involving for its extension an application to the Court of Chancery. The objections which have been urged upon me in that respect by many persons, might, I think, be met by some Amendment in the Standing Committee, and I only mention the matter now in order that my noble and learned Friend may consider it before that time arrives.

LORD HERSCHELL: I certainly intend to propose Amendments which I believe will meet the objections mentioned by the noble and learned Lord on the Woolsack, providing that power to extend the time for sale shall be given not only to the Court, but also to the Charity Commissioners. I think those Amendments will meet my noble and learned Friend's view.

*LORD COLCHESTER: The argument of the noble and learned Lord would, I think, have greater weight if there was any great probability that, as he says, vast quantities of land might accumulate in the hands of Charities in England. I have not the least wish to see Charities become great landowners, and what I suggest is simply that the land should not be sold where the proper authority in these matters thought it injurious to the interests of the Charity to sell it. My noble and learned Friend dwelt upon the fact that land if in the hands of a Charity is less likely to come into the market than if it were in the hands of individuals; but if it be the case that a sale will only be objected to on the ground that it is likely to be injurious to the Charity, I do not see that the result would be to keep great quantities of land in the possession of the Charities; and as power is possessed by Charities to hold land which is given them by deed, I certainly do not see that there is any objection to their holding land bequeathed to them by will. I am compelled to say that I feel so strongly on the matter that if there is a prospect of support from any quarter of the House, I shall certainly divide upon the question.

Amendment negatived.

Clause 4, as amended, agreed to.

Clause 5.

*LORD COLCHESTER: I had an Amendment in line 22, after ("thereof") to insert—

"such lands shall be sold under the orders of the Charity Commissioners for England and Wales, if they consider such sale can be effected without prejudices to the interest of the charity.")

and to leave out remainder of clause; but as it is mainly consequential I shall not press it. There is one point, however, in reference to it to which I wish to call attention, and that is that in this matter I think the proper authority to act should be the Charity Commissioners, and not any other. At a later stage I think it would be desirable to alter Clause 4 so as to substitute the Charity Commissioners for the Court of Chan-

cery or the Judge in Chambers. The provision with regard to the Official Charity Trustee appears to me to be entirely new.

LORD HERSCHELL: The noble Lord will see that the Amendment which I propose in the next line really does away with that criticism. The Official Trustee becomes as now a mere bare Trustee, and the Charity Commissioners are to order the Trustees in whom the land is vested to sell. That satisfies the Charity Commissioners, and it is, in fact, at their suggestion that I have done it. The Amendment which I spoke of just now comes next.

Amendment moved,

In line 23 to leave out all the words after ("official") and insert ("Trustee of charity lands and the Charity Commissioners shall thereupon take all necessary steps for the sale or completion of the sale of such lands to be effected with all reasonable speed by the administering Trustees for the time being thereof, and for this purpose the said Commissioners may make any order under their seal directing such Trustees to proceed with the sale or completion of the sale of the said lands or removing such Trustees and appointing others, and may provide by any such order for the payment of the proceeds of sale to the official Trustees of charitable funds in trust for the charity, and for the payment of the costs and expenses incurred by the said administering Trustees in or connected with such sale, and every such order shall be enforceable by the same means and be subject to the same provisions as are applicable under the Charitable Trusts Act, 1853, and the Charitable Trusts Amendment Act, 1855, respectively, to any orders of the said Commissioners made thereunder."—(*The Lord Herschell.*)

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 amended, and agreed to.

LORD HERSCHELL: I propose here a new clause carrying out what I stated when I moved the first Amendment. It enables authority to be given to the Charity to hold any land which it needs for the purposes of the Charity, or to spend any money to be laid out in the purchase of land where it is needed for the same purposes.

Amendment moved after Clause 6, to insert, as a new clause—

"It shall be lawful for the High Court of Justice, or any judge thereof sitting at chambers, or for the Charity Commissioners, if satisfied that land assured by will to or for the benefit of any charitable use, or proposed to be purchased out of personal estate by will directed to be laid out in the purchase of land, is required for actual occupation for the purposes of the charity and not as an investment by order to sanction the retention or acquisition as the case may be of such land."—(*The Lord Herschell.*)

Amendment agreed to.

Clause 7 agreed to.

LORD HERSCHELL: I beg to move a new clause after Clause 7, which is to retain the exemptions in regard to institutions which under the existing Mortmain and Charitable Uses Act are excluded from its operation.

Amendment moved after Clause 7, to insert, as a new clause—

"Nothing in this Act contained shall limit or affect the exemption of the assurances mentioned in the seventh section of the Mortmain and Charitable Uses Act, 1888, from the application thereto of Part Two of the said Act."—(*The Lord Herschell.*)

Amendment agreed to.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 210.)

SCHOOLS FOR SCIENCE AND ART BILL.—[H.L.]—(No. 193.)

House in Committee (according to order.)

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I desire to say a word in explanation with regard to the point which was raised the other day as to the power of alienation under certain circumstances, as provided in the Elementary Education Act. I have laid the matter before the drafting Counsel, and he has advised that there is nothing required; that it can be done under the Elementary Education Act, and they can do the same under this.

Bill reported without Amendment; and re-committed to the Standing Committee.

FISHERIES BILL [H.L.]—(No. 17.)

Read 3ª (according to order); amendments made; Bill passed, and sent to the Commons.

MAIL SHIPS BILL.—(No. 197.)

Read 3ª (according to order) with the amendments, and passed, and returned to the Commons.

House adjourned at twenty minutes before Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 3rd July, 1891.

The House met at Ten of the clock.

Message to attend the Lord Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to,—

1. Customs and Inland Revenue Act, 1891.
2. Consolidated Fund (No. 2) Act, 1891.
3. Pollen Fisheries (Ireland) Act, 1891.
4. Savings Banks Act, 1891.
5. Museums and Gymnasiums Act, 1891.
6. Reformatory and Industrial Schools Act, 1891.
7. Russian Dutch Loan Act, 1891.
8. Public Accounts and Charges Act, 1891.
9. Branding of Herrings (Northumberland) Act, 1891.
10. Presumption of Life Limitation (Scotland) Act, 1891.
11. Cork (County and City) Court Houses Act, 1891.

The Sitting was suspended until Three o'clock.

LAW AGENTS AND NOTARIES PUBLIC (SCOTLAND) BILL.—(No. 69.)

Lords Amendments to be considered forthwith; considered, and agreed to.

RANGES [PAYMENTS].

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any sums required for the repayment, in certain cases, of money borrowed for the purchase of land under any Act of the present Session to facilitate the Acquisition of Ranges by Volunteer Corps and others (Queen's Recommendation signified), upon Monday next.—(*Lord Arthur Hill*)

QUESTIONS.

UNDERGROUND EMPLOYMENT IN INDIAN COAL MINES.

MR. PROVAND (Glasgow, Blackfriars): I beg to ask the Under Secretary of State for India whether women and children work underground in coal mines in British India; if there is any legislation dealing with the labour employed in these mines; and if he will obtain and lay upon the Table of the House a Report on the condition of those employed in the mines, with particulars of the legislation, if any, which at present affects them?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): There is no legislation in British India which regulates the labour employed in coal mines, and there is no statutory prohibition against the employment of women and children underground. But I am informed that, as a matter of fact, in the State mines women and children are not employed, while in private mines they are. The hon. Member will see, from Papers which have already been laid before Parliament, that the Secretary of State has called attention to the subject in connection with the working of mines in British India, and I am informed that the Government of India are now in communication with the Secretary of State upon the matter.

ACCIDENT AT THE GARTSHERRIE IRONWORKS.

DR. CAMERON (Glasgow, College): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the bursting at Gartsherrie Ironworks, Lanarkshire, on Monday last, of a blast furnace, and the serious injury of a number of workmen; has he any information to show whether it is true, as stated, that the furnace adjoins one "that burst last February, and caused the loss of five lives, besides injuries to six others;" whether any inquiry beyond that instituted by the Procurator Fiscal was instituted into the fatal catastrophe in February, and

whether the results of any official inquiry into it were communicated to the public or to the sufferers or their representatives; and whether he will consider the propriety of instituting a public inquiry into the accident of Monday last?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention has been called to the accident at Gartsherrie Ironworks, and I have been in communication with the Scotch Office, who inform me that the Secretary for Scotland has directed an inquiry to be instituted by the Inspector of alkali works in Scotland. If the hon. Member desires further information, perhaps he will be good enough to address himself to the Scotch Office.

THE GUNBOAT *SWINGER*.

DR. CAMERON: I beg to ask the First Lord of the Admiralty whether it is true, as stated in the *Daily Telegraph* of Tuesday, that the obsolete gunboat *Swinger*, having been ordered to be sold in Melbourne at a reserve price of £5,000, and having failed to fetch that price, has been ordered home; whether it is true, as stated, that it will take her over six months to make the voyage; and what is the estimated cost, including coal, pay, and expenses, of bringing her home?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The selling price of the *Swinger* is estimated, with stores, at £5,000. No offer to buy the ship having been made in Australia, she was ordered home. She sailed from Sydney on May 12, and is expected to arrive in England in October next. The pay and victualling of the crew would not form an item of additional expense in bringing home the *Swinger*, as the men would have to be maintained at the public expense wherever they might happen to be serving; and as the *Swinger* will make a large part of the passage home under sail the exact consumption of coal cannot be estimated. Against this expense, however, would have to be put the cost of the passages, £1,300, which the Admiralty would have been obliged to pay had the crew been brought home by packet. By the arrangement made a two-fold economy has been accomplished, as the vessel is saleable here and the cost of bringing the crew home has been saved.

THE ALLOTMENTS ACT.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he will agree to the Return relating to Provisional Orders under "The Allotments Act, 1887," which stands on the Notice Paper this day?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am glad to be able to state that there have only been two cases in which it has been deemed necessary to make Provisional Orders for the compulsory taking of land for the purpose named in the question. As I have on several occasions stated, it has always been my desire that the land required for allotments should be obtained by voluntary arrangement rather than by compulsory purchase. I shall be glad to give the hon. Member any information that the Local Government Board may have as to the Orders referred to, and this will probably answer the purpose he has in view.

THE CASE OF MARY MILLARD.

MR. COBB: I beg to ask the Secretary of State for the Home Department whether he will make inquiries as to the case of Mary Millard, aged 20, who, on 26th June, was charged by the police before the Aldershot Bench with being a disorderly prostitute; whether the report is correct that Police Constable Bradbury swore positively that she was a well-known prostitute, and Police Sergeant Cottle stated that there was no doubt whatever that she was a prostitute; that, at the suggestion of the Chairman, the case was adjourned in order that Miss Millard might be examined by a doctor, and afterwards, on the resumption of the case, Dr. Gibson swore that he had examined her, and that the charge that she was a prostitute could not possibly be true, the Chairman stating that the case fell through, and that the police should be very careful how they run people in on such a charge; and whether he will bring the facts before the Public Prosecutor, so that Police Constable Bradbury may be indicted for perjury?

MR. JEFFREY'S (Hants, Basingstoke): May I ask whether the Magistrates did not give the young woman every assistance in proving her innocence; and whether, considering the sworn evidence, the Magistrates could have done otherwise than have heard the case and dismissed it immediately after hearing the medical evidence?

The following questions also appeared upon the Paper:—

MR. MORTON (Peterborough): To ask the Secretary of State for the Home Department whether his attention has been called to the case of Mary Millard, who on Friday, the 26th instant, was falsely charged by the police at Aldershot with being a disorderly prostitute; and whether he will institute an inquiry as to the conduct of the police?

MR. W. M'LAREN (Cheshire, Crewe): To ask the Secretary of State for the Home Department whether, in the case of Miss Mary Millard, the Magistrates are correctly reported to have suggested to her mother that she should have her daughter medically examined; and whether he will inform the Magistrates that proof of virginity is not needed in order to rebut the charge which wa brought against the girl?

MR. H. J. WILSON (York, W.R., Holmfirth): To ask the Attorney General whether his attention has been directed to a case before the Aldershot Magistrates last Friday, when two policemen swore that a certain girl was a well-known prostitute, which evidence was proved to be entirely untrue; and whether he will call the attention of the Public Prosecutor to the matter, with a view to the prosecution of the constables for perjury?

MR. W. M'LAREN: To ask Mr. Attorney General whether Miss Mary Millard, who was charged by two policemen at Aldershot with being a disorderly prostitute, when it was subsequently proved that she was entirely innocent, has any remedy against the police; and, if so, what it is?

MR. H. J. WILSON: To ask the Attorney General whether his attention has been directed to the case of Mary Millard, who was arrested at Aldershot on Monday, 15th June, on a charge of being drunk, and taken before a Magistrate on Tuesday the 16th June; is he aware that she was kept in the police cells from the 15th till the 18th, and was brought before the Magistrates in Petty Sessions on 18th of June on the altered charge of being a disorderly prostitute, when a sergeant and a constable swore that she was a well-known prostitute, but the evidence of Dr. Gibson showed that the police evidence was untrue; is the Chairman correctly reported in dismissing the case because the evidence was untrue, nevertheless to have admonished the girl on the assumption that it was true; will he draw the attention of the Public Prosecutor to the sworn evidence of the police; and will he draw the attention of the Lord Chancellor to the language of the Chairman of the Bench?

MR. MATTHEWS: The Magistrates have acted with perfect propriety as far as I can judge. I have by the courtesy of the Magistrates and the Chief Constable of Hants been supplied with Reports in the case of Mary Millard, against whom a charge was brought by the Hampshire Police. These police are not under my jurisdiction. Upon a full consideration of the case, I think that an inquiry on oath will be far the most satisfactory method of establishing the truth. I have, therefore, requested the Director of Public Prosecutions to place himself in communication with a firm of solicitors who, I am given to understand, have undertaken to act for Mary Millard, and to inform them that if they will conduct proceedings against the police for perjury the Government will pay such expenses as may be properly incurred. It will be far more satisfactory that solicitors acting on behalf of the girl should have the conduct of these proceedings. My information is that the girl asked the Magistrates to allow her to be examined. They assented, and at the same time guaranteed and subsequently paid the doctor's fees, so that there might be no impediment placed in the girl's way. My information is that the charge was not altered, but that she was in the first instance charged with being a disorderly prostitute. The charge was made on the 15th and heard on the 18th, and she was in custody in the interval. It is not the fact that the Magistrates admonished the girl on the assumption that the charge against her of being a prostitute was true. On

the contrary, the Chairman informed the girl that she had entirely proved to the Magistrates that she was not a prostitute, but at the same time told her to remember that she must not be disorderly in the streets.

SIR J. SWINBURNE (Staffordshire, Lichfield): May I ask whether the Home Office will make the girl any compensation for having been detained in custody for two or three days?

No answer was returned.

INSPECTION OF THE YEOMANRY CAVALRY.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for War what is the present system of inspecting the Yeomanry Cavalry; and whether it is proposed to make any change therein; and, if so, whether he will consider the expediency of utilising the services of the officers commanding districts under the direction of an Inspector General of Auxiliary Cavalry?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Yeomanry Cavalry are inspected by the Inspector-General of Cavalry or by officers specially deputed by him. No change in this system is contemplated beyond some arrangement under which the same Inspectors will be more continuously employed.

THE RIBBLE NAVIGATION.

MR. CURZON (Lancashire, Southport): I beg to ask the President of the Board of Trade when the final Report of the Ribble Navigation Commissioners, appointed under the Preston Corporation (Ribble Navigation) Act of 1889, and promised before the end of 1890, is likely to be issued?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Commissioners inform me that they are now considering their final Report and hope to issue it during next month. The subject is very complex and difficult, and requires much consideration and careful survey.

MAILS TO PERSIA.

MR. CURZON: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that letters, in course of transit from Persia to Great Britain, and *vice versâ*, are frequently tampered with *en route* while passing through Russian territory, being sometimes cut open, sometimes detained, and sometimes destroyed; and whether, in view of the fact that such practice is not in accordance with the amenities ordinarily observed by civilised nations, the Secretary of State will consider the propriety of making representations to the Russian Government on the subject?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Nothing is known of this matter in the Foreign Office, as no representations have been made of any such occurrences.

MR. CURZON: The instances of which I speak are instances which have occurred within my own knowledge.

*SIR J. FERGUSSON: I need hardly say that if any authenticated instances are brought to the notice of the Secretary of State, proper representations will be made.

THE BRENNAN TORPEDO FACTORY.

MR. EDWARD KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary of State for War why the Government workmen at the Brennan torpedo factory at Chatham, who have previously received accident and sick benefit pay, have lately had such pay stopped?

*MR. E. STANHOPE: It was found that accident pay was abused, and therefore the superintendent recently rearranged the rates of pay, making allowance for the fact that accident and sick pay had ceased.

CONTEMPT OF COURT.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the arrest of four men in the town of Swaffham, Norfolk, for contempt of Court in connection with a disputed right of way case; if he is aware that these men (one of whom is between 60 and 70) have been imprisoned, and that their families are destitute; and if he could see his way to any modification of the sentence?

MR. MATTHEWS: No, Sir; my attention has not been called to this

matter. If the hon. Member will supply me with particulars I will consider whether it is a case in which I can properly interfere.

THE CHICAGO EXHIBITION.

MR. GROTRIAN (Hull, Central): I beg to ask the Under Secretary of State for Foreign Affairs whether the report is true that the Government intend spending on the Chicago World's Fair an amount less than half the sum set apart for the Paris Exhibition; and if it is their intention to give the management of the British section to the Society of Arts, and not to a Government Department?

*SIR J. FERGUSSON: The arrangements for this business are not made by the Foreign Office, but I believe that provision is likely to be made for a Royal Commission to provide for the representation of this country at the Chicago Exhibition at a lower cost than at the French Exhibition of 1878.

SCHOOL FEES INQUIRY OFFICERS.

MR. W. M'LAREN: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that some School Boards and School Attendance Committees have officers known as "School Fees Inquiry Officers," who receive salaries for this special work, quite apart from any salaries they may have as School Attendance Officers; and whether, as these officers will necessarily have their occupation taken from them after the Education Bill becomes law, he will recommend that some compensation should be given to them?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am aware that persons are employed in the capacity to which the hon. Member refers, but it appears to me that although the Bill may render unnecessary the actual work upon which they are engaged, School Boards and School Attendance Committees will be able to find plenty for them to do by the more strenuous application of the powers which they possess for the enforcement of school attendance; and if this course is adopted, it will not be one of the least satisfactory results of the measure in question.

THE SHEFFIELD TAILORS.

MR. H. J. WILSON: I beg to ask the Attorney General whether his attention has been called to a circular, issued in reference to a dispute between the master tailors of Sheffield and workmen recently in their employment, in these terms:—

"Master Tailors' Association of Great Britain and Ireland,—Dear Sir,—As a member of the above Association you are requested not to employ the following men who have been locked out of the various shops"

(names of more than a hundred men follow); and will he say whether such a circular can be legally issued?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): This question cannot be answered in the abstract. The circular, coupled with other facts, might be evidence of an illegal conspiracy, or, if issued maliciously, it might, if damage resulted therefrom, give rise to an action for maliciously attempting to deprive persons of their employment; but without a full statement of the facts no correct opinion can be formed as to whether or not the issue of the circular is illegal.

THE NATIONAL GALLERY.

MR. ELLIOTT LEES (Oldham): I beg to ask the First Lord of the Treasury whether there is any regulation which prevents the Trustees of the National Gallery from exchanging at stated intervals the pictures lent by them to provincial art galleries, under the National Gallery Loan Act, for other pictures in their collection, in accordance with the method adopted by the Science and Art Department of exchanging their collections of objects of art lent to provincial museums and art galleries once in every 12 months; and if there is no such regulation, whether Her Majesty's Government will advise the Trustees of the National Gallery to adopt the system of the Science and Art Department with regard to their loan collections?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The National Gallery Loan Act of 1883 enables the Trustees and Director conditionally to lend to provincial and other galleries any pictures or works of art belonging to them or under their control which, in their

opinion, can be spared from the national collection. Accordingly, in 1884, all such pictures were distributed on loan to various institutions which had applied, but at present there are few or no pictures that could be spared. The Trustees point out that the value of most of the works is far too great, and their presence in the National Gallery far too important, to justify their being circulated through the country, even if such a scheme were practicable, without involving the most obvious and perilous risks.

THE EDUCATION CODE.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the First Lord of the Treasury whether, looking to the advanced period of the year covered by the Education Code, 1891, and to the fact of the financial arrangements of School Boards in Scotland for the current year having been all fixed upon the basis of the Code as originally issued, the Government will withdraw the amendment of the Code presently lying upon the Table of the House, and will leave the whole subject open and to be dealt with in the Scotch Code for 1892?

*MR. W. H. SMITH: This question was only put on the Paper last night, and I must ask the hon. Member to postpone it till Tuesday, when I shall hope to be able to answer it.

THE BELFAST POST OFFICE.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General what is the cause of the delay in filling up the clerkships and first-class sorterships in the Belfast Post Office declared vacant on the 2nd of April last, and whether the officers who will be promoted will in both cases receive the scale of pay to which their promotion will entitle them dating from the 2nd of April last?

*THE POSTMASTER GENERAL (Mr. RAIKES, Dublin University): The delay arose from the fact that a senior officer was employed in the Surveyor's Office, and as I did not wish to pass him over it was necessary to arrange with the Treasury that he should, when promoted, be borne as redundant on his class. This has been done, and steps are being taken to fill up the vacancies. The promotions will be antedated, so that the officers who may be promoted will not suffer.

MR. SEXTON: I beg to ask the Postmaster General whether it is a fact that the duty of sorting clerks in the Belfast Post Office is split into four terms, commencing at 4 a.m. and ending at 8 p.m., thus extending over 16 hours; on what grounds the same rule is not applied in the Belfast Sorting Office as exists in the telegraph office, where no duty extends over more than 12 hours; and if the present established force in the Belfast Office is sufficient to meet the extra work which the acceleration of the mails will involve; and, if not, what steps does he intend taking to meet the case?

*MR. RAIKES: In reply to the hon. Member's question, which was only placed on the Notice Paper yesterday morning, I have to state that I yesterday called for a Report as to the facts of the case; and that when I have the necessary information I shall be glad to communicate with the hon. Member.

BELFAST AND MERSEY STEAMSHIP COMPANY.

MR. MACARTNEY (Antrim, S.): I beg to ask the President of the Board of Trade whether he is aware that the Belfast and Mersey Steamship Company applied on the 14th January last to the Northern Counties Railway of Ireland to be placed on equal terms as to through fares and divisions with the Belfast Steamship Company; and whether the Board of Trade can use their authority for the purpose of securing equal terms for the Belfast and Mersey Steamship Company?

*SIR M. HICKS BEACH: I am aware, Sir, that the Belfast Steamship Company applied to the Northern Counties Railway for a through rate to certain stations in England. I have no power to order such a through rate; that can only be done by the Railway Commissioners. But communications on the subject are being made by the Board of Trade to the Railway Company, which I hope may have a satisfactory result.

IRISH AND ENGLISH TRAFFIC CONFERENCE.

MR. MACARTNEY: I beg to ask the President of the Board of Trade whether he has any control over the proceedings of the Irish and English Traffic Con-

ference; and whether traders can take any steps to protect themselves from the claims of the Conference to adjust the traffic as to through booking, &c., between Ireland and England; and, if so, to what authority does the appeal lie?

*SIR M. HICKS BEACH: No, Sir; I have no control over the proceedings of the Irish and English Traffic Conference. If traders have any complaint to make against any Railway Company, party to such Conference, which the Railway Commissioners under the Railway and Canal Traffic Act, 1888, have power to entertain, it is open to such traders to apply to the Commissioners.

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER.)

Ordered, That the Proceedings of the Committee on the Elementary Education Bill, if under consideration at Twelve o'clock this night, be not interrupted under the provisions of the Standing Order, Sittings of the House. —(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

ELEMENTARY EDUCATION BILL.

(No. 355.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 3.

*(3.55.) SIR R. TEMPLE (Worcester, Evesham) moved, in page 2, line 34, the omission of Sub-section 3, which gives the Education Department power, after the expiration of a year from the commencement of the Act, upon representation being made that in any district there is a deficiency of free school-places, to require, after inquiry, such deficiency to be supplied in the manner provided by the Act of 1870. The hon. Baronet said: In moving the omission of this sub-section, I make the last stand that can be made, and urge the last pleas that can be urged, on behalf of the voluntary system and of the Church schools. My contention is that while the voluntary system in the villages is fairly protected by this Bill, the voluntary schools in our large towns will be most seriously affected by this clause. They are schools of a superior order, which have hitherto held their own against the competition of the School Boards in Lancashire, Yorkshire, and other Northern counties; and it is against these schools that this sub-section will be principally directed. To them this sub-section is as the shaft that sticks in the wounded side, "*hæret lateri lethalis arundo.*" Now, I would ask the House to join with me for a few moments in grappling with the operation of this sub-section, and I shall be able to show that the provisions therein contained, with regard to the principle of the Bill, are unnecessary. What is the ordinary type of these schools? They may have four classes of scholars, one class with a 3d. fee, one with a 4d., one with a 6d., and one with a 9d. There may be a number of schools of this type in a town, carrying on the entire elementary education without help from the School Board or the rates. And there are many towns in the North thus situated. The average income would range from 15s. to 20s. a head. Now, if by the operation of this section the managers were compelled to accept an average grant of 10s. per head in lieu of these fees, thus depriving them of half their income, the eventual fall of those schools would be financially certain. The voluntary system would be no longer able to keep its head above water, and must strike its flag to the pirates of the School Boards. But I hope it will not come to this. The House is aware that in the schools I have mentioned attention is paid to the 3d., 4d., 6d. and 9d. classes. Now, the operation of this Bill will be to free the 3d. class; thus in every one of the large cities there would be this 3d. class absolutely free. In most of these schools also there will be some children educated free at the charge of good Church people. Accordingly the children, when they begin their school life in the lowest class, will be free, but when they enter the higher classes they will have to pay a fee according to the scale above mentioned, less 3d. in every case according to this Bill. I hope that the parents will consent to continue the payment of fees for the educational and social advantages their children will receive. Now, these arrangements would work automatically, and would provide free places everywhere, so far according to the principle of the Bill. And this would be satisfactory to the voluntary managers. On the one hand, there would be always

Mr. Macartney

free places at the bottom, while in the upper classes the income of the school would be sustained. And there was no need to make further provision. But by this sub-section representations can be made to the Education Department, not by Local Authorities nor by Representative Bodies, but by any body of persons—they may be opponents of the Church, and objectors to the voluntary system—that the amount of free accommodation provided is insufficient. If there is such free accommodation for 50 provided by the above arrangements, they will say it ought to be for 100; and if for 100 they will demand they will demand 200, if for 150 they will demand 300, and so forth. This may be done by agitators with the knowledge that such demands must kill these voluntary schools. And to whom are these representations to be made? They are to be made by irresponsible persons to the Education Department. I would certainly trust my right hon. Friend the Vice President of the Council with the interests of the voluntary schools; but, unfortunately, my right hon. Friend cannot live for ever politically, and the power will some time pass to right hon. Gentlemen opposite. Now, who are they? They are the very statesmen who have declared that the policy of the Bill ought to be the introduction of the School Board into every large town, and ultimately everywhere. I am not imputing to them anything they have not themselves declared in this House. They have been drumming it into our ears every night for the last 10 days, they have been drilling us into this belief, and they cannot be surprised if we take them at their word. These representations will, therefore, be made to Ministers who have a predilection for School Boards, and the effect will be that the free places in voluntary schools will be augmented by order, not according to the wants of the parents or of the children, but according to the wishes of those who have an ulterior purpose to serve—the supplanting of the voluntary system by Board schools. Yet, further, this kind of mischievous agitation may ultimately affect the minds of the parents, and instead of being content with free places in the third class, as above explained, will begin to think that they ought to have their children's education free in those classes where higher fees prevail. [*Opposition cheers.*] The Committee will see that I am rightly interpreting the views of hon. Members opposite. Then we should come back to the danger with which I started. The school would lose 20s. of fees and receive 10s. in compensation, and so must succumb. The effect of the sub-section must be to bring the School Board into all those large towns of the North of England where hitherto the voluntary system has worked quite well, and, once established, the School Board will never stop until it has absorbed all the elementary education. The School Board is an ogre that eats up everything within reach, and it regards the voluntary schools just as a cannibal might regard an African traveller. You may ask how it is that I know. My answer is that I belong to a School Board, and have seen this done under my own eyes during the last seven years. I hope that, after all, the voluntary schools may survive the danger with which they are threatened, but that danger ought never to have been thrown in their way. The disposition of every School Board will be to act after its kind in every town where it is introduced. Once the thin end has been inserted the wedge will be driven home in all its length and breadth. The mill of the Board may grind slowly, but in the end it will pulverise everything opposed to it. I have myself received notes of warning from Liverpool, Manchester, Leeds, Bradford, Salford, and Sheffield, and I have no doubt there are many other towns in which the feeling is the same. Indeed, I believe it is true of every town in the North of England where Churchmen do congregate. The voluntary system may surmount the peril by renewed exertions. Not in vain, but with entire success, has the net been spread by the Opposition in the sight of my right hon. Friends on the Treasury Bench. But school managers will now know of the danger which impends, and, in combination with their supporters and with the parents, will, I hope, present an unbroken front to the School Board as common enemy. I say this in no spirit of hostility to the School Board, which has its proper duties in such localities as East London, the southern bank of the Thames, and

wherever there is darkness, poverty, and misery in any town or district. In such places the Board does noble work, which could be done by no other agency. Such work it can becomingly do without trenching on the goodly preserves of the voluntary system. I have conferred on this sub-section with the Chairman of the London Board (Mr. Diggle, who understands the subject probably better than anyone else in England, owing to his combined knowledge of the School Board and of the voluntary system, and I find that he also is seriously alarmed for the safety of the upper-class voluntary schools. I have hopes that, in spite of everything, the voluntary schools will succeed in passing through the danger—a danger which ought never to have been provoked, as it is by this clause. As one who has given his brains to the School Board, while his heart was with the voluntary schools, I have thought it my duty to warn my hon. Friends around me that this sub-section implies a menace, and threatens to hand over to the spoiler that which we regard as one of the most precious of our national possessions.

Amendment proposed, in page 2, line 34, to leave out from the word "if," inclusive, to the end of the Clause. —(*Sir Richard Temple.*)

(4.15.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I merely wish to avail myself of this opportunity of pointing out to my hon. Friends who sit on this side of the House that they have now an opportunity of showing that they still entertain the principles they have always advocated. They need not fear the defeat of the Government now, because the supporters of the Government are to be found on the other side, and not upon this. Perhaps it is only right and proper that it should be so, because the Bill is founded on principles which the Opposition have always maintained, and which we on this side have always repudiated.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): As I have not intervened in these Debates before, I hope I may be allowed to say a few words. I do not propose to follow the hon. Member for Evesham (Sir R. Temple) into his scriptural illusions, but as I am entirely opposed to any grant being given from the Public Purse to any school in which any form of sectarian religion is taught, I hope the prediction of the hon. Member that the voluntary system will be destroyed by this Bill may be accomplished. No doubt the voluntary system has done good work in the past, just as the old stage coaches did; but as it is now as extinct as the dodo or the stage coach, I think the time has arrived for relegating it to the limbo of all useless things.

*MR. BARTLEY (Islington, N.): I am inclined to think that my hon. Friend has made this grave and serious matter almost humorous. I look upon the matter as a very important one, and join with my hon. Friend (Mr. H. T. Knatchbull-Hugessen) in the hope that a few of what I may call the flabby Members on this side of the House will pluck up courage to vote against the clause. I know that we shall not be able to beat the Government, but we ought to make a better show than we did on a recent memorable Division. What is this clause? It is the agitating clause of the Bill. If any agitator wishes to make out that something is wanting in order to attack the denominational schools, he will be encouraged by this clause to do so. [MR. LABOUCHERE: "Hear, hear!"] The hon. Member for Northampton says "hear, hear," as I expected he would; for there is a certain section of Members on the other side of the House whose only idea of the Bill is to convert it into a machine for agitating against the voluntary religious schools. This clause will not only give them the power; but directly encourages them to do so. The Education Department are, under the clause, to be themselves satisfied before they take action. I have every confidence in the Education Department as at present composed. But it will not always be managed by its present political head, and the next head may desire to do away with the voluntary schools, which the hon. Member for Northampton so much dislikes. The clause puts power into the hands of the Department that will enable that object to be accomplished. Such a clause offering direct encouragement to agitation is, to my mind, both unfair and unwise. There are some people who think that School Boards ought to be universal. If it is thought

desirable to have School Boards and nothing else, very good. I and many others should regret it, but we should know what we were about. It is a remarkable fact that the pamphlet recently issued by Mr. Fitch, of the Education Department, on the effect of free schools in America, Belgium, and France, shows that in those countries there is a regular agitation growing up to try and get more of the very system which we are so anxious to abolish, namely, the extension of religious, or what we call voluntary schools, and to partly, at least, support denominational schools out of the public funds. For these reasons I strongly support the Motion of my hon. Friend the Member for Evesham, although I know that it will be altogether futile, and that hereafter the Education Department will have to give in to the continual agitation, chiefly political, of those who desire to stir up strife and injure denominational schools.

*(4.23.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): May I express a hope that the Amendment will be put in such a form as will enable other Amendments to be moved, after it has been disposed of.

THE CHAIRMAN: I propose to put "That the words 'if at any time' stand part of the Clause."

*MR. BARTLEY: What does that do? Does it get rid of the sub-section?

THE CHAIRMAN: No.

Question proposed, "That the words 'if at any time' stand part of the Clause."

*SIR W. HART DYKE: I desire to say a few words upon the proposal of my hon. Friend the Member for Evesham. He made a somewhat amusing speech, but he drew a very gloomy picture of the immolating effect of the clause upon voluntary schools. His picture of the attitude of School Boards in the Metropolis was scarcely fair. He spoke of them as poaching upon what he called the "rich preserves" of the voluntary schools, but I have only to say, as I have said before, that such gloomy anticipations and prophecies as those in which my hon. Friend has indulged I altogether disagree with. I believe that the result will be entirely the other way. It will be treated simply as an educational measure, and not as one that is to get rid of the voluntary schools. My hon. Friend has suggested that, in place of this sub-section, which provides that any person may represent to the Department that free accommodation is needed, there should be inserted a provision for placing voluntary schools in the hands of Local Authorities.

*SIR R. TEMPLE: No; I did not suggest that.

*SIR W. HART DYKE: I certainly took down the words "Local Authority," and I understand that the suggestion of my hon. Friend was to place more power in the hands of the Local Authority. Now, I venture to submit that if one thing could be more injurious than another in regard to the future of the voluntary schools of this country it would be to place them in the hands of Local Authorities. It is perfectly obvious that if the Local Authorities were opposed to voluntary schools, they might, from political motives, set this clause to work. As the clause stands, the third section will, I believe, work extremely well in regard to the voluntary system in future. It will mean this—that any aggrieved body of parents may sign a Memorial and present it to the Education Department, and from that simple channel it would become known to the Department that free education was demanded. My hon. Friend argues that the clause will be utterly destructive to a large number of voluntary schools. Now, the average fees paid in the Church schools in England are 10s. 8d. per head. In the Wesleyan schools the average fees amount to 16s. 2d., and surely my hon. Friend knows that the Wesleyan Body consider that the financial arrangements of the Bill constitute a very handsome offer, and are prepared to meet any emergency. The advocates of Church schools, which only receive an average fee of a little more than 10s. a head are going a little beyond the mark when they say that the Board schools, under this Bill, will bring about the absolute ruin of the voluntary schools. I would only urge again, as I have urged before, that a good deal may be done by a system of grouping and co-operation, especially after the very large concession which Her Majesty's Government have already made in regard to the inclusion of children between three and five years of age. I do not think I need detain the House

any longer on this question. I have only to repeat that I appreciate the difficulty in which the schools in the North of England will be placed, but I am confident that if they boldly meet the emergency they will prove equal to it, and that the gloomy prognostications of my hon. Friend and the aspirations of hon. Members opposite in regard to the denominational schools will alike be disappointed when the measure is fairly tested.

*(4.32.) MR. JENNINGS (Stockport): The right hon. Gentleman who has just spoken has referred to representations which have been made on this subject, and I feel it to be my duty to place before the Committee a representation from another important body which holds views very different from those expressed by the right hon. Gentleman—the Stockport District Teachers' Association—comprising over 300 certificated teachers, and representing a considerable section of Lancashire as well as Cheshire. This Association have passed a resolution calling for the withdrawal of this part of the clause, on the ground "that it will lead to the extinction of the best voluntary schools," and "that its insertion is not in accordance with the pledges that nothing in the Bill should injure the voluntary system." This view of the consequences of this clause is that taken by the Party opposite, almost to a man. It is one of their principal reasons for supporting the Bill. But the right hon. Gentleman the Vice President says that hon. Members opposite are mistaken in their conclusions—that they are under a delusion in imagining that the Bill, or this particular clause, will have any injurious effect on the voluntary schools. Of course this, to a great extent, must be a matter of mere belief, for experience can only practically settle the question. But all we know is that the language which has proceeded from hon. Gentlemen opposite has pointed with entire unanimity to the threatened destruction of the voluntary schools. There is the right hon. Gentleman the Member for the Brightside Division (Mr. Mundella). We have seen him during the past few days in all his glory, telling us that this clause must stand and the other must go out. He has lost no opportunity of launching his diatribes against the schools of Lancashire. He seems to hate a Lancashire school almost as much as he does a Lancashire mill. In this connection it is not unimportant for us to consider that at some future time, sooner or later, the operation of the Act may be placed in the hands of the right hon. Member for the Brightside Division and his friends, and, after the opinions they have expressed, there can be no doubt as to the spirit in which the Act will be worked by them towards the voluntary schools within it, the elements of endless mischief. Worked industriously with the rancour which characterises the language of the right hon. Gentleman, we cannot doubt what the fate of the voluntary schools will be. Then let us consider how this clause may be used. Any number of persons may demand a free school, or free accommodation in a voluntary school. We will suppose that in a school of 200, 100 demand it. If they are to be provided with free accommodation, why should the others go on paying fees? [*Opposition cheers.*] Aye, hon. Members opposite see all these points quite clearly. Nobody is blaming them for not discerning them, but it is astounding that Conservative Members do not see these things. It is to them I am addressing arguments, which on hon. Gentlemen opposite would be quite thrown away. In the school I am supposing 100 persons demand free education. Well, how is the matter going to work? Lord Cranbrook has explained the whole matter in a speech reported in this morning's papers. "No school," he says, "need be entirely free so long as free places are supplied as far as they are required." This is indeed valuable information. A number of children walk into a school paying nothing. A number of others, belonging to precisely the same class, continue to pay fees for the honour and glory of the thing. But those who pay must give more than they did before, to make up for the loss occasioned by others refusing to pay. And this is to go on for ever, one man making great sacrifices and the other coolly accepting them. Time will soon dispel these visions. It will soon be seen that a mere handful of discontented persons in a district may be able to light a fire that will not easily be put out. They will wish for political or other reasons to strike a blow at certain

school managers; they will send up their demand to the Department, the order will come down, the school will be cut in half, or closed altogether. But we go on saying, these things can never happen, because we, the Conservative Party, are passing this Bill, and we are the friends of voluntary schools. It is notorious that we stand by our friends and our principles. Those rapid conversions which are so deplorable in the present frivolous age are repugnant to us. But sometimes great parties have inflicted serious injuries on interests which they professed to serve, because they could not or would not foresee the inevitable results of their own measures. The summer-day's security which we are now enjoying will not last very long. The right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), who may probably be regarded as the true father of the present Bill, tells us what is before us. He is always clearsighted and practical, and he informed us in the Debate of February 21, 1890, that "No parent would send his child to a voluntary school where a fee was charged, when he could send the child to a Board school free of charge." He "expressed his own personal opinion that denominational schools were a bad thing." And in the Debate on the introduction of the present Bill, speaking of Stockport and other places similarly situated, he said, "The result would be that the voluntary schools would have to make their schools free, or else new schools would have to be established." All this is very plain and very true. We have no right to complain of the right hon. Gentleman. He finds this Party ready to perform a work which he never could induce his own to undertake, and he makes use of it. No doubt, he must secretly enjoy the spectacle of the Conservative Party embarking upon a policy which must destroy the voluntary schools, but his ingenuity fully entitles him to this performance, in which we make the faces, and he speaks the words. These are the things the friends of voluntary schools should consider. But they have had no time to consider them. The Bill was introduced at a late period of the Session, and thus far it has been pushed through at railroad speed. In our proceedings in Committee no concessions have been made to this side unless they were also demanded by the Party opposite. Was not that a memorable incident which occurred the other night, when the Chancellor of the Exchequer explained very fully that a certain demand from the other side could not be yielded; that it would throw all the finances of the country into confusion; that chaos would overtake us if he gave way. The right hon. Gentleman the Member for West Birmingham soon changed all that. He waved his magic wand, and there was a transformation scene. The Chancellor of the Exchequer vanished through a trap door, and the First Lord of the Treasury came forward with his usual urbanity and gave what was demanded. Sir, I am aware that it may be said, Look at the United States—there it is the Board schools which are growing weaker, while the denominational schools increase in strength. If that be so, it seems to prove that the people do not set so much by this inestimable boon of free education as you seem to imagine, that they do not want it, and prefer to have what they do want, and pay for it. In that case, why are you going to inflict an additional £2,250,000 of taxation upon the country? Why do you provoke a battle of the schools in all the populous districts of the land? In reality, the analogy attempted to be drawn between this country and the United States is misleading. The increase of voluntary schools there only takes place in districts where a majority of well-to-do persons reside. Where all the parents are persons of narrow means, voluntary schools cannot flourish side by side with Board schools. One set of parents, earning no more than another set, will not go on paying fees when there is a free school just round the corner. We oblige the children to go to school; the United States do not. There is no general compulsory law there, and in the States where it does exist it is almost a dead letter.

MR. MUNDELLA (Sheffield, Brightside): No, no.

*MR. JENNINGS: Of course, the right hon. Gentleman who contradicts me knows better than anybody else. When hon. Members presume to make a speech about education he usually begins his reply by telling them they do not

know what they are talking about, and ought to go home. The more, however, the right hon. Gentleman examines into the question the more he will see that my statement is in accordance with the facts. The children in the United States go voluntarily to school, and in many parts of the country they are sent to denominational schools, because the parents wish to keep their children a little select. Even in Republics these objectionable ideas prevail. But we have a compulsory law, and now we say to the parents, "you shall send your children to school and shall not pay for their education unless you like. We will cast the burden upon another section of the community, many of whom are almost as poor as you are." Supposing they put on any of those aristocratic airs which excite so much indignation on the other side, and say, "We do like to pay for their education, they must be fined for it." If the thrifty artisan sends his child to a select school and pays the fees as long as he can, you say to him, "Not only shall you pay for the education of your own child, but you must pay something towards the education of your thriftless neighbour's child." That is a severe sacrifice to ask of him. The thriftless man has hitherto been paying, say 3d. a week, for the education of his child. That 3d. will represent to him a pint of beer and a screw of tobacco. He will consume the pint of beer, smoke the screw of tobacco, and leave somebody else to educate his child. My belief is, that this clause will end in the destruction of the voluntary schools in large towns. I believe it will throw the educational question into the roaring cauldron of Party politics, and the result will not be good for education or for politics. I believe that it will sow dissension among large classes of the community, and that it will be a tax on the provident for the benefit of the improvident. Believing these things, I shall vote for the Amendment of my hon. Friend.

*(4.52.) MR. ELLIOTT LEES (Oldham): We are, after all, friends of education on both sides of the House, although, whilst we prefer voluntary schools, gentlemen opposite prefer Board schools. While I support the voluntary school I do not object to the existence of the Board schools, and I hope that Gentlemen opposite in their support of the Board school system do not mean to imply that the voluntary school system is altogether bad. I represent one of the great manufacturing towns in Lancashire where the School Board has existed side by side with the voluntary schools ever since the Act of 1870 came into force. The Board School system there has by no means destroyed the voluntary schools, and I do not think that, even under this sub-section, it is likely to do so. We can still find plenty of money to support our voluntary school system, and I think we are likely to be able to do so. I should like to ask the Government and Members opposite to give us a little more time than is granted under this section to recover from its effect. Hon. Members opposite are no doubt anxious to improve the cause of education. They have shown their sympathy by promoting many educational reforms, using for the purpose what I may call, without meaning any offence, the socialistic agency of the State. We on this side are endeavouring to further the cause of education by means of the individualistic agency of voluntary subscriptions. Hon. Members opposite must admit that while they generally call the tune we generally have to pay the piper. I do not object to paying the piper for what will be done under this sub-section, but I think we ought to have a little more time to prepare for doing so.

(4.56.) MR. HOWORTH (Salford, South): I rise for the purpose of supporting the Amendment. It is a most remarkable fact that not a single Member on the other side has risen in this Debate. If we wanted a complete justification of the attitude we take when we say the Bill is drafted in the interests of Members opposite, I think we could not have a more complete and absolute proof of that fact than the circumstance I refer to. The vice which a great many of us see in this Bill, and more especially in this clause, is that it absolutely ignores the fact that England does not constitute a homogeneous community. There is a rural England and an urban England, and we hold that to a very large extent this Bill will eventuate in the sacrifice of rural England for the purpose of conciliating urban England. In some respects it will be of great advantage to the rural

districts. Every eleemosynary gift to poor people must bring some advantage, although whether it is a lasting advantage is another matter. But we hold that the benefit has been purchased at the cost of demoralising our educational system in the great towns of the North of England. I rose, however, to speak not so much on the side of the voluntary schools as on the side of education itself. We have struggled for 30 years past to build a great many schools, and have been impressing on our artisans who are getting large wages that it is a great advantage to them in every way to have schools where high fees are charged, and now we are going most effectually to destroy that kind of initiative among them. But we are going to do something that is much worse. We are going, in my view, to increase the gap which separates the very poorest portions of the town population from the artisans who earn considerable wages. If the voluntarists are to fight their battle it must be by constituting select schools in which to collect the cream of the working classes. I represent a constituency consisting almost entirely of artisans and wealthy manufacturers. The former live in the town, but the latter have homes 10 and 12 miles away from it. Can it be expected that this wealthy class will continue to subscribe to maintain voluntary schools which are threatened with absorption by the School Boards? I foresee danger and disaster awaiting education in our northern towns. Hon. Members are indulging in fantastic ideas when they suppose that it is possible in those towns to induce all classes to make use of the same schools. There are many classes amongst the masses, and artisans who receive good wages will insist that their children shall be separated from the dregs of the population, the children of the pavement. I hold that the Government are making a great mistake. It has been the privilege of the Conservative Party in the past to advocate and support great measures of social reform, and it will, I hope, be our privilege in the future to do so again, but I cannot shut my eyes to the fact that the present measure is a form of legislation that strikes at the fundamental principles of our political faith. I am afraid that the real motive to which the existence of this Bill is due is a belief that it will pay. With an appeal to the country impending, it is no doubt tempting to try to conciliate a large section of the community by legislation that is popular though capricious, but I warn Her Majesty's Government that having once embarked upon these enterprises they will be unable to stay their hand. They will create an inexhaustible appetite for legislation of this kind, and their conduct and that of the Opposition reminds me of a race between steamers on an American river when the passengers encouraged the captain to sit on the safety valve and to put the cargo in the stoke-hole, and when the result was an explosion.

(5.5.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have listened with great pain to the observations that have fallen from my hon. Friends. Their speeches are speeches against the Bill, and the provision which they now specially attack is essential to the measure. Without it the Bill could not be passed. The hon. Member for Stockport has used language imputing that the Bill has been sprung upon the Conservative Party as a surprise. I would remind my hon. Friend that two years ago the Prime Minister announced that this education policy was the policy of the Conservative Party, and would be carried into effect as soon as financial considerations should permit. In my opinion, it would be difficult to draw a Bill less disagreeable than the present one to the voluntary schools which charge high rates of fees. There have been vaticinations of a terrible kind as to what will be the effect of this clause upon those schools. I remember very well that in 1870 some of my hon. Friends entertained precisely the same views as to the consequences of the Elementary Education Act which was introduced by Mr. Forster, and which I supported. I am, however, glad to be able to say that my hon. Friends' forebodings were not realised, and that the voluntary schools throughout the country—not only Church of England schools, but Wesleyan, Roman Catholic, and Congregational schools—rose to the occasion and made every effort to supply still better education. In answer to some of the criticisms that have been passed upon the clause, I may

point out that there are voluntary schools in some places in Yorkshire side by side with Board schools; that the voluntary schools charge higher fees, and that in spite of that they are preferred by large numbers of the artisans. I am informed that there are managers of schools in some of the poorer parts of London who have made up their minds not to accept the 10s. grant, in spite of the consequences with which they are threatened by the School Board for refusing to accept it. A manager in the East End whom I know is convinced that the parents of the children at his school will prefer to continue to pay the unreduced fee charged hitherto rather than send their children to a free school, and consequently he has determined not to accept the 10s. grant. My hon. Friend the Member for Stockport said that in the United States a large portion of artisans and workmen preferred to pay fees in select schools where, perhaps, their children would not receive as good an education as in the free schools. Why, then, should not parents in England, where people have more aristocratic tendencies and tastes, choose to pay fees rather than allow their children to go to a school which they do not themselves approve? I believe that the character of our school system will be maintained under this Bill. My hon. Friend (Mr. Howorth) states that he would not have had a word to say if the Bill applied only to rural districts and villages. But what would the representatives of some of the great town constituencies say if the Government proposed to exclude Lancashire, Yorkshire, and parts of Cheshire? There would be a movement of popular indignation against any such proposal. In short, it is utterly impossible that the Government could propose a measure which should not be applicable to the whole country. The Government hold that people who have been willing to pay high fees during the past will be willing in future to pay lower fees if proper arrangements are made. My hon. Friend the Member for Oldham referred to the time which should be allowed to the schools to make arrangements. A reasonable time is given in the Bill. A year is a very long time. They might set about the arrangements between school and school at once. The Motion of my hon. Friend behind me was opposed to the measure, but the Government propose it, believing that they are doing the best they can for elementary education and for voluntary schools, and that other arrangements would not be so favourable to either.

*(5.15.) MR. MOWBRAY (Lancashire, Prestwich): This is a question which vitally affects the interests of my constituents. I cannot but say that I have listened with regret to the speech of my right hon. Friend who sits below me. I confess that while I am perfectly prepared to support a Bill for free education which will not injure voluntary schools, I am not prepared to vote for this clause, because it will injure those schools. On March 20 last year the Prime Minister said that the intention of the Government was to deal with assisted education in such a way as to put the voluntary schools in a position from which no hostile majority could dislodge them. The Government are living in a fool's paradise if they think they are putting the voluntary schools in a position from which no hostile majority can dislodge them. The Government have put them at the mercy even of a hostile minority in every district of the country. I represent a county district in Lancashire, and except in a portion of that constituency comprised within the area of the City of Manchester there is not a School Board in the district. The right hon. Member for the Brightside Division will say, "So much the worse." The right hon. Gentleman has on various occasions attacked the schools of Lancashire, because, he says, they charge high fees, and are bad schools in themselves. But the last Report of the Committee of Council on Education, referring to the disadvantages under which Lancashire labours on account of the large number of half-timers, goes out of its way to remark that the Returns from Lancashire, showing a total percentage of 91·32 passes for reading, writing, and arithmetic are only exceeded in Leicester and in the Metropolitan District. You say you are going to grade schools. How can you grade schools in places which are called villages in the North, but in other parts of the country are called large towns? The difficulty of grading the schools is that

they belong to different denominations. I know one of those places in which there are two Church of England and two British schools, one Wesleyan school, one Roman Catholic, and one Swedenborgian. How could we grade such schools? How can we find free places for the Church children among the Swedenborgians or for the Wesleyans among the Roman Catholics? If we limit help to the people who really want it, I should not be afraid. But I am afraid of the action of what the Bishop of London called "busybodies" and of the action of politicians. I say the voluntary schools will be placed at the mercy of a hostile minority, who, having demanded and obtained a certain number of places in the first year, will demand more free places in the next year, and so will go on from year to year, until the voluntary school can no longer exist. One word on another side of this question. I think it was the First Lord of the Treasury who told us the other day that this would put no charge upon the ratepayers. But this is exactly what it will do in constituencies such as mine, for it will be quite impossible for voluntary schools to continue under it, and the result will be the introduction of School Boards and school rates into districts where they do not exist now. If the Committee, and if the Government, are willing to look forward to this as the future position with satisfaction, I have nothing more to say, but certainly it is another point upon which the Bill is different to what we were led to expect it would be. If the Government and the House really think that free education at the expense of the State ought to be granted to all, let us say so at once; but do not let us, while pretending that this will not be a burden upon the ratepayers, insert at the same time a clause which, in the opinion of all who have studied it, must infallibly bring about that result. This Bill goes far beyond, not only the speech of the Prime Minister himself, but of the words in the Gracious Speech from the Throne at the beginning of the Session, when we were told that our attention would be directed to a measure for alleviating the burden pressing upon the people owing to the system of compulsory education. We have now, by extending the limits of age, given up all idea of tying the measure to the system of compulsory education. But we shall by the measure, if it passes with this clause struck out, do that which we were invited to do—alleviate the burden upon the people. We shall free education in 70 or 80 per cent. of the elementary schools, and we shall give material relief to parents in other cases by the reduction of fees. But if you insist upon this clause you are, without consulting the ratepayers of the district, and in defiance of the wishes of the supporters of voluntary schools, putting an engine into the hands of those who will work it to the destruction of a system you are pledged to support.

*(5.33.) MR. DE LISLE (Leicestershire, Mid): I desire to add a few words of appeal to the Government to extend the term beyond which the Act will come into operation.

THE CHAIRMAN: That question arises on a subsequent Amendment.

*MR. DE LISLE: I will not refer to that subject further, but I thought to simplify matters. In any case, I propose to vote for the retention of this subsection, for I think it is essential to the Bill. It contains the principle of the Bill. So far as I understand the sub section, it will be to substitute Board schools where voluntary schools will not provide free education. That will be the result of passing this sub-section, and on this ground I am prepared to support it. The hon. Member for Salford (Mr. Howorth) has addressed a somewhat rambling argument against the principle of the Bill, and he seemed to make it a charge against the Government and the Conservative Party that they should support the principle of free education. Now, I think from a Tory point of view nothing can be more Tory. I do not know for how far back the hon. Member dates his Toryism; but if he will only date it back to the Middle Ages, when monastic institutions began to grow, and when alongside every Benedictine Abbey there was a school giving free education, then I think, from an historical Tory point of view, we need not be afraid of the principle of free education. With reference to what my hon. Friend the Member for Evesham has said, I am sorry that he a chief officer of the School Board was not here to support me when I attempted to put a muzzle on the

appetite of the ferocious ogre he has alluded to. I brought forward a Motion to refuse the new fee grant of 10s. to Board schools when the school rate amounts to 1s. in the £1, which would have had the effect of muzzling the ogre, but he did not give me the support I might have expected, and allowed the opportunity to pass. But I hope all those who appear to be opposed to this sub-section will, when we come to consider the question of extending the time when this Bill will come into operation, support the hon. Member for Oldham should he think it necessary to take a Division.

*(5.36.) MR. TALBOT (Oxford University): I do not think with the First Lord of the Treasury that if this sub-section is rejected it is tantamount to a rejection of the Bill. I was sorry to hear him say that, for I am afraid that I must vote for the omission of the sub-section, and, therefore, my vote may be construed into one given in hostility to the Bill, though in my conscience I do not think that will be the effect of voting against the sub-section. If the sub-section is the very kernel of the Bill, without which the Bill cannot pass, we cannot be accused of a desire to unduly delay progess if we devote a little time to the discussion. I think my right hon. Friend must have found within the last few days that this Bill has caused a large amount of discontent, not to use a stronger word, among those whose interests he has a sincere desire to serve. I am not going to allow myself to be led into a Second Reading speech and argument, a course which by your kind indulgence, Sir, some of my hon. Friends have adopted; but I wish to point out that if some sort of concession is not made to our view, this sub-section may be made an engine of very serious evil against voluntary schools. If at any time it is represented—the Bill does not say by whom—to the Education Department that there is not the necessary amount of free school accommodation, then the Department may, with certain formalities, declare that the accommodation must be provided. Now, I call attention to this possible contingency. There are certain schools known as certified efficient schools, which do not receive a grant; they are inspected by Inspectors, and supported partly by fees and partly by subscriptions. What is to prevent anyone in that district, parents or not, representing to the Department that a certain amount of free accommodation is desirable? What is to prevent the peace of the parish—which has long existed in a peculiar manner, perhaps, but in a manner that commends itself to the inhabitants—what is to prevent the peace and harmony of the parish being upset for the sake of supplying accommodation that nobody desires or only a very inconsiderable number of persons demand. Surely the sub-section ought to have some provision that the representation should be limited in some responsible manner by inquiry by a Local Authority, or there should be some sort of guarantee or assurance that there shall be a *bonâ fide* expression of opinion by persons really interested, and that there is real need for the accommodation. It has been suggested that the difficulty might be met by the grading of schools, but it is acknowledged there would be a good deal of difficulty in supplying in voluntary schools the means for this sub-division. For instance, in Maidstone, taking that as a fair illustration of a town in the South of England, where there is a School Board, but no Board schools, there are, hitherto, only schools supported by voluntary contributions, and there the same difficulty will arise which has been referred to in connection with the high-fee schools in Lancashire and Yorkshire. But without going further into the merits of the question, I must say unless Her Majesty's Government will give a real consideration to the facts of the case as put before them by those who, having been engaged in the work of education ought to know, unless we get some sort of assurance that these facts are being considered and not merely met by official answer, I must vote for the Amendment. The sub-section may be used as an engine for destroying the system we have so long supported, and if we cannot get an assurance that it will be modified in the manner sketched out I must vote with my hon. Friend.

*(5.45.) SIR W. HART DYKE: My hon. Friend behind me has referred to the drafting of the sub-section, and has asked how the Department are to prevent bogus demands for free education. The security is to be found in the words

"If the Department are satisfied after inquiry that such is the case." This is the task which has been thrown on the Department ever since Mr. Forster's Bill became law, and the same intelligence has only to be shown in the future as had been shown in the past to avoid all the difficulties anticipated by the hon. Member. The hon. Member added that the Government have made no concessions to hon. Members behind the Treasury Bench. This is not so. The Government have made large concessions with respect to infants and half-timers.

(5.47.) Mr. LABOUCHERE rose in his place, and claimed to move, "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

*MR. TOMLINSON (Preston): I only wish to say, in reference to the concession to half-timers, that yesterday when Lord Cranbrook received the deputation on the subject, we demonstrated that there will be an actual loss of 2s. 6d. per scholar in the half-time schools.

(5.50.) The Committee divided:—Ayes 269; Noes 38.—(Div. List, No. 321.)

*(6.4.) MR. SUMMERS (Huddersfield): I beg to move the omission of the words "the expiration of one year from." I quite agree with the right hon. Gentleman the First Lord of the Treasury, that this sub-section is essential in order to give a large portion of the population a chance of getting free education. But I am afraid that the provision of a delay of one year will act disadvantageously in districts such as Preston and Stockport, because the clause cannot begin to come into operation until after the twelve months have passed, and it will take much more than a year for the Education Department to go through the formalities attendant on the establishment of a School Board. What are the formalities which have to be gone through under the Act of 1870? First, the Education Department requires a return of the school accommodation in a given district; then the Department has to notify to the people of the district that there is a want of accommodation; then the people of the district may claim to be heard on the question, whether or not the statement of the Education Department is an accurate and trustworthy one; then a public inquiry may be ordered, and not until it has taken place will the Department issue a final notice that a certain amount of free school accommodation must be provided. Lastly, six months must elapse before the Education Department can order the establishment of a School Board in the district; then the Board has to be elected, and it has to set about building a Board school. All this lengthy process will have to be gone through under this section, and, therefore, I say that Stockport and Stalybridge, Preston and Prestwich may have to wait not one but three years for free education, instead of getting it simultaneously with the rest of the country. Hence, I ask the Committee to strike out these words. The Vice President of the Council informed us, in answer to a question, that during the year allowed by this sub-section, the tenth section of the Act of 1876 will be enforced. Now, we have been supporting this Bill very heartily, because among other reasons we hold that all connection between education and pauperism should at once cease, but under this sub-section parents during that twelve months will still in these cases have to apply for the remission of fees to the Guardians.

Amendment proposed, in page 2, lines 34 and 35, to leave out the words "the expiration of one year from."—(*Mr. Summers.*)

Question proposed, "That the words 'the expiration of' stand part of the clause."

*(6.10.) SIR W. HART DYKE: It is impossible for the Government to accept the Amendment. The clause has received very great consideration, and this section of it was framed with the very obvious object of giving the voluntary schools in the districts time to meet the exigencies of the case. I may point out that immediately the Bill comes into operation a vast number of schools will at once become free, because their average fee is less than the fee grant of 10s.

MR. MUNDELLA: I did hope that the Government would have given

some consideration to this Amendment, and at least have met us half way. I am as anxious as any one to press forward the consideration of this Bill, but it is necessary to draw the attention of the Government to the fact that in some of our larger towns a year will elapse before the Department will under this section be able to move with a view to securing free education, and that the inquiry which will have to take place may delay the matter two years further. I think the Government might have met us by reducing the period from one to six months, but if they decline to do that then I trust my hon. Friend will rest satisfied with having made a protest.

MR. PICTON (Leicester): One point seems to have altogether escaped attention. There is a marked contrast between this Bill and the Act of 1870 in this respect. The Act of 1870 immediately it was passed conferred its benefits on the people; there was no intervening period provided between its passing and its coming into operation. Yet under this sub-section a whole year is to be wasted. I do protest most heartily against that.

(6.16.) SIR H. JAMES (Bury, Lancashire): I hope the Government will not give way on this point, for this delay will give the voluntary schools an opportunity of meeting the difficulty in which the Bill will place them. I think too that in many cases parents will continue willingly to pay fees if by so doing they can avoid the necessity of establishing a School Board.

*MR. J. POWELL WILLIAMS (Birmingham, S.): Although I think some intervening period is desirable, I hold that the two years which must practically elapse under this section is an excessive amount of time. I have been informed that the effect of this Act will be to immediately free every Board school in Birmingham, whereas the denominational schools will not be free for two years.

*MR. W. H. SMITH: May I point out that there will be nothing to prevent the voluntary schools coming to an understanding among themselves. They will at once get the full advantage of the Act, and will become either free schools or schools charging a diminished fee. I believe that many of them are already preparing for the change. It would, however, be a great hardship to compel them to come in without allowing them ample time to make the necessary arrangements.

*(6.20.) MR. ELLIOTT LEES: I think the interval provided for in this section should be longer rather than shorter. Although I am not in the least afraid of the effects of the Bill, and although I do not anticipate there will be any difficulty in getting the subscriptions for voluntary schools, yet I think it is rather hard to call upon the subscribers to make up the difference between the fee grant and the income they used to receive from fees, and at the same time, perhaps, have to provide additional accommodation. When once an expenditure is occurred on bricks and mortar there is no telling how heavy the burden may become. I trust that the Government will not give way on this point.

*MR. CHANNING (Northampton, E.): I hope that my hon. Friend will proceed to a Division on this Amendment. If we are going to give free education to the people the boon should be conferred upon them at the earliest possible moment. I wish to take this opportunity of pointing out the unfairness of the suspension of the 12 o'clock rule.

THE CHAIRMAN: Order, order!

(6.24.) MR. DE LISLE: There can be no reason for allowing two years to elapse. We may have a General Election in 1892, and then, if hon. Members meet with the success they anticipate, it will be in their power to give immediate operation to this provision.

(6.25.) The Committee divided:—Ayes 186; Noes 95.—(Div. List, No. 322.)

*(6.38.) MR. ELLIOTT LEES: I have an Amendment on the Paper to insert "two years" in lieu of "one year" in this clause, but after the discussion that has just taken place, and seeing that the Government will not give way under any circumstances I do not intend to move my Amendment. I am glad, however, that I put it on the Paper, as it may have enabled Ministers more successfully to resist the last Amendment.

MR. LLOYD-GEORGE (Carnarvon, &c.): In what way is the necessity of

providing free places to be brought before the Education Department?

*SIR W. HART DYKE: The most obvious way of bringing to the knowledge of the Education Department the demand or necessity for providing free places in a school would be to send a memorial. The Department is deluged at all times with all sorts of complaints and requests. The whole system of the Inspectorate has been changed by the altered conditions under which the Code is administered, and through the visits of the Inspector the wants of a district in regard to this matter can be easily ascertained.

MR. PICTON: I am not altogether satisfied with this explanation. I would point out that we are creating a new right, and if only one parent insists on free education for his child, it ought to be given.

MR. MUNDELLA: I, on the other hand, think the explanation of the right hon. Gentleman is quite satisfactory, and that there is no doubt the Education Department would act on the representations made to it.

*MR. CHANNING: The object of the Amendment I rise to move is to make Sub-section 3 apply not only to cases where the public school accommodation without payment of fees is insufficient, but also to cases where such accommodation is unsuitable for the wants of the population.

Amendment proposed, in page 2, line 38, after "fees," to insert "or that such accommodation is unsuitable for the wants of the population."—(*Mr. Channing*).

MR. MUNDELLA: I hope the Government will not object to the Amendment. It is better, in the interest of all parties, that the words should be inserted.

*SIR B. SAMUELSON (Oxfordshire, Banbury): The case of the refusal of a School Board in Wales to sanction a Roman Catholic school, which had been referred to, showed that hardship might arise if the words were not inserted.

*MR. SYDNEY GEDGE (Stockport), pointed out that the words were already in the Act of 1870. He had long been of opinion that the proper exercise by the Department of their existing powers would have put a stop to the grievances complained of by the right hon. Gentleman the Member for Wolverhampton the other night.

*MR. W. H. SMITH said the Government could not object to the insertion of the words.

Amendment agreed to.

(6.45.) Amendment proposed, in page 2, line 38, to leave out from the second "and," to the word "case," in line 40, inclusive.—(*Mr. Lloyd-George.*)

*MR. H. J. WILSON (York, W.R., Holmfirth): Will the right hon. Gentleman accept the words "suitable and sufficient?"

MR. T. ELLIS (Merionethshire): The right hon. Gentleman in a previous clause has already accepted the words sufficient and suitable accommodation.

MR. SUMMERS: Will the right hon. Gentleman insert the word "suitable?"

*MR. W. H. SMITH: It is for the Inspectors of the Department to see that the accommodation is sufficient, and it is not necessary to repeat the words over and over again.

SIR H. JAMES: As a matter of drafting the words "suitable and sufficient" might be accepted, and it would then be the work of the Department. The word "insufficient" will not do. It rather represents building accommodation than the accommodation of the classes.

*MR. CHANNING: Perhaps the right hon. Gentleman will accept the words of a subsequent Amendment which stands in my name.

MR. LLOYD-GEORGE: I beg leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 38, after "fees," to insert "or that such accommodation is unsuitable for the wants of the population." — (*Mr. Channing.*)

MR. MUNDELLA: I believe both sides of the House are agreed; and I think it is better in the interests of all parties that you should insert the words of the hon. Member.

*SIR B. SAMUELSON: If I remember rightly, a case has several times come before this House, as it certainly came before the Education Commission, in which the Roman Catholics properly complained that a School Board in Wales had refused a Roman Catholic school. That case

shows how easily hardship might arise unless words were inserted which make it clear that the accommodation shall be suitable to the population. It is a most important thing that there should be no proselytising of children by forcing them either into denominational or into the Board schools.

MR. ADDISON (Ashton-under-Lyne): May I point out that there would be no great harm in applying those words.

*MR. SYDNEY GEDGE: Not only would there be no harm, but they are already in the Act of 1870, and I have been long of opinion that had the Department properly exercised its power in respect of requiring suitable accommodation, a stop would have been put to such complaints as we heard from the right hon. Gentleman the Member for Wolverhampton the other night. They have power to compel managers either to give up teaching in a way which is objectionable, or to require the establishment of a School Board in the parish. I hope words will be inserted which will emphasise the opinion of the House of Commons that the accommodation ought to be suitable.

*MR. W. H. SMITH: We do not object to the insertion of these words, as it appears to be the general desire.

*MR. CHANNING: Perhaps the words could more properly be inserted after the word "age."

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 38, after "age," to insert "or that such accommodation is unsuitable for the wants of the population." — (*Mr. Channing.*)

Other Amendments made.

VISCOUNT CRANBORNE (Lancashire, N.E. Darwen): I beg to move what is only a verbal Amendment. It is to insert after the word "age" the words "requiring such accommodation." As the words stand, application might be made for a greater number of free places than are required, whereas the object is only to supply them to those children who are in need of free accommodation. The object of the words I propose is to supply free education only to the extent necessary.

Amendment proposed, in page 2, line 38, after the word "age" to insert the words "requiring such accommodation." —(*Viscount Cranborne.*)

Question proposed, "That those words be there inserted."

MR. MUNDELLA: The representation made to the Department is that certain accommodation is required, and that in itself is sufficient. The words proposed are unnecessary.

VISCOUNT CRANBORNE: All that I want is that it shall appear on the face of the Act of Parliament that free education shall be given only where the children require it.

*SIR W. HART DYKE: I think the words would rather emphasise the meaning of the clause, and I cannot see that they would do any harm.

*MR. ROBY (Lancashire, S.E., Eccles): "Required" is an ambiguous term. If you insert these words, it would be necessary to inquire whether the parents cannot afford to pay.

MR. PICTON: This is an endeavour to mark a class distinction, and certainly goes to mar the beneficent principle of the Bill, which is that every British child may have a free education if the parents demand it. If you draw a distinction between those children who do not require free education and those who do, you at once destroy the rights which have been created by the Board. I earnestly protest against this very serious proposal.

MR. ADDISON: As I understand the word "require" is merely used in the sense of desire—when it is desirable that such accommodation should be afforded.

(7.0.) SIR G. TREVELYAN: It seems to me it would be a mistake to use the word "desires." Not one in 20 of these children will desire to go to school.

SIR L. PLAYFAIR (Leeds): I would suggest the words "for whom such accommodation is desired."

*SIR W. HOULDSWORTH (Manchester, N.W.): I think it is necessary that some words of this kind should be put in. It appears to me from the clause as it stands that if a single child were found in any district for whom there was not a free place, the Education Department would have to provide a free place whether there was a demand or not. That is not the intention of the Government as I understand it. It is

only when parents require and demand a free place that one is to be provided.

MR. MUNDELLA: Has the right hon. Gentleman considered the alternative? The parents of the child will still have to go to the Board of Guardians to obtain remission of the fees.

*MR. W. H. SMITH: I think the words "if such accommodation is desired," will accomplish the object we have in view.

Amendment, by leave, withdrawn.

Amendment agreed to, in page 2, line 38, after the word "age," to insert "for whom such accommodation is desired."—(*Sir L. Playfair*).

(7.3.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): Earlier in the evening we had the last wail from the denizens of "the cave," and we also heard expressed by Gentlemen opposite who represent important constituencies in Lancashire and elsewhere, their dislike of free schools, and more especially, their dislike of School Boards. The object of my Amendment is, to provide that, as between the fee-charging school and the free school, there shall be no social distinction, and no inferiority on the part of the free school. I know the Vice President has a great affection for variety in our schools, but I understand that his desire for variety is chiefly in reference to the question of fees. We contend, at all events, that the variety shall not extend to the quality of the instruction given, or to the curriculum, or the buildings, or teachers. The proposal I have to make will, I trust, have a limited scope, because it will not apply to the case of rural districts where there is only one school, and where, therefore, there can be no inferiority between one school and another, and I hope it will not apply to cases where School Boards exist. We desire that our School Boards should not free one school here and another there, as unfortunately they have done in some schools in Scotland, but that they should free every school they have under them. In towns, however, where there are no School Boards, if the parents demand free schools the demand will have to be accepted, and it will be against the interest of those who manage and own the voluntary schools there to give free education if they can help it. They will lose a certain amount of income if a free school is introduced, and they will desire therefore to discourage the demand for free schools on the part of the parents in those towns. There will, therefore, be a very great temptation indeed for them to throw some sort of stigma on the free schools, and to discourage parents from demanding a large number of free schools. Some words should be put into the Bill to prevent them handing over as free schools the worst they have. I think the right hon. Gentleman himself would desire to prevent that from taking place. We know quite well the great difficulty the Department have in condemning any school which is nominally efficient. We are not asking for any superiority for the free schools, but we say that it is not right that there should be any possible chance that these free schools should be in any way inferior to the fee-paying schools. We do not desire, and I think it would be a great educational evil to get back to the system of ragged schools which prevailed some time past in the country.

Amendment proposed,

In page 2, line 38, after the words last inserted, to insert the words "or that such free accommodation is inferior in the character of the staff, equipment, amount or quality of teaching to the general condition of the schools charging fees in the school district, or that the premises do not conform to the rules for planning schools contained in the Code."—(*Mr. Sydney Buxton.*)

Question proposed, "That those words be there inserted."

*(7.11.) SIR W. HART DYKE: I am unable to accept this Amendment. The hon. Member has stated, and rightly, that I am in favour of a system of grading and of variety in schools; but the Education Department is responsible for seeing that each and every school is kept up to a certain standard of efficiency, and that duty the Department will continue to fulfil in the future as in the past. The acceptance of this Amendment would be an indication that Parliament considers the Education Department practically unequal to the performance of its duty. I do not admit that after the Bill passes free schools will be found—

"inferior in the character of the staff, equipment, amount or quality of teaching that the general condition of the schools charging fees in the school district."

I can only repeat the assurance I have already given, then when the Bill becomes law the Education Department will be equal to the emergency of seeing that it is properly carried out.

(7.12.) MR. A. DYKE ACLAND (York, W.R., Rotherham): I am sure the right hon. Gentleman is sincere in his desire and determination to have all the schools efficient, but as a man of common sense he must know that, as to condition of building and relative efficiency, some schools in the country are inferior to others. He will not deny that the Government Inspectors are of opinion that the buildings and fittings of some schools in some populous districts are far below the standard that the Department might reasonably desire to see them brought up to. I will quote a few words from one of his own Inspectors on the subject. Not long ago, speaking of some of the struggling schools, one of these gentlemen said—

"The Inspector must either refuse the grant, and thereby abolish the school, or he must recommend the grant for work he knows falls infinitely short of the standard laid down for him in the Code. He chooses, probably, the most merciful power he has, giving the grant for work that he knows falls infinitely short of the standard laid down by the Code, and from that hour he perpetuates bad teaching by rewarding imperfect effort."

If one of Her Majesty's Inspectors can speak in those terms, surely it is impossible for the right hon. Gentleman to say that he has succeeded in the path he has marked out for himself of seeing hat

"each and every school is kept up to a certain standard of efficiency."

I know several School Inspectors intimately, and I can say from conversations I have had with them that their difficulty has been that the only lever by which it has been possible to bring schools to a standard of efficiency has been the lever of condemnation. Some of the schools that have been known to be the worst schools have had warning given to them this year. I hope that the schools of the worst kind will be brought up to the level of the others, but the idea that all schools are of one standard—I was going to say is little short of ridiculous, but, at any rate, it does not correspond with the facts. When you have a group of schools affected by this Bill the managers will meet together and say, "It is quite clear we must have one free school;" and unless words such as these are inserted it will be only human nature to give up the worst. The school buildings vary in efficiency—some of them are modern; others are 30 years old—so that to say that they can all be brought up to the same standard is a theory which will not hold water. The right hon. Gentleman the Vice President of the Council does not want to see the free children put into the worst schools. Some words ought to be inserted in order to show that where there are a series of schools that nobody pretends are quite efficient an effort, at least, shall be made to secure that a fair amount of efficiency is provided for the free school children.

*(7.17.) SIR J. LUBBOCK (London University): The Amendment contains two very different propositions; one is that "the premises should conform to the rules contained in the Code." That is reasonable, though I am not sure that the words are necessary. But the first part of the Amendment provides that the free schools shall be equal "in staff, equipment, and quality of teaching to the schools charging fees in the school district." Now, the whole object of starting fee-paying schools will be to secure a larger staff or better equipment than can otherwise be obtained. The clause goes on to say that the Education Department shall "supply the deficiency;" that would mean in staff or equipment. But, as I understand, what is really wished is that the free schools shall be equal, not to those which, being specially well equipped, may fairly charge a fee, but to the general requirements of the Code. I am not sure that this object is not already secured, but if not, to carry out that object some modification of the words will be necessary. If my hon. Friend would modify his Amendment in that sense I think it would be well worth the consideration of the Government, but probably the best plan would be to ask the Vice President of the Council to consider the matter, and, if necessary, to bring up some words on Report.

*MR. SYDNEY GEDGE: I would submit that what the right hon. Baronet desires is already provided in the words "efficient suitable." The Amendment aims at a condition of

things which does not exist, and is not likely to exist, and it lays down a rule which would be unworkable.

(7.22.) MR. T. ELLIS: The hon. Member has not dealt with the arguments of my hon. Friend, and least of all with that remarkable quotation which has been read to the Committee from a Report of one of the Inspectors. That Report shows that there are many schools that are unfit for the Parliamentary grant, and do not come up to the requirements of the Act. They are simply allowed to exist from considerations of pity—because it is known that if the grant is not continued the school will collapse. There is a distinct danger that in certain towns a poorly equipped school would be given over to the non-paying children, and I say that if that happened it would be a calamity in itself. It would be wholly against the spirit of this Bill; and not only that, but I venture to say that if a condition of things of this sort were allowed to continue in some of our towns for a number of years the worst evils contemplated by the Mover of the Amendment would be brought into existence. I trust the Amendment will be adopted, and if it is I can assure the right hon. Gentleman the Vice President of the Council that he will earn the gratitude of the country for putting the free schools in the same position as to efficiency as the schools where they happen to have fee paying children.

(7.23.) MR. MUNDELLA: I would appeal to the right hon. Gentleman the Vice President of the Council, either in Committee or on Report, to agree to the insertion of words to insure that where a free school is accepted it shall be a school up to the general standard of efficiency that prevails, I will not say in the district, but in the country. I would suggest words which would not be objected to, namely, "or that such free accommodation is inferior in the character of the staff, equipment, amount, or quality of teaching to the general standard of public elementary schools." That, I think, a very reasonable Amendment, and one the Government could hardly refuse. The right hon. gentleman has agreed that in towns where the parents rely on voluntary schools they may assign such and such schools for the supply of free education. It is because I do not desire to weary the Committee, or to raise the ire of hon. Gentlemen opposite, that I do not quote the Reports of the Inspectors; but I could, if necessary, point out passages in which these gentlemen have described some of the voluntary schools as "old dingy sheds," which ought to be swept off the face of the earth. Schools of this kind are perfectly useless, and if they do not come up to the requirements of the Education Act they should be got rid of. ["Hear, hear!"] Hon. Gentlemen cheer that, but they are not got rid of. There is not a large town in the North of England where there is not a school of this kind. These schools are not got rid of, and I am afraid will not be got rid of for some time to come. Time is given to these schools to raise new subscriptions, the difficulty of raising new subscriptions is pointed out, the compassion of the Department is appealed to, and as a result schools that are totally inefficient and do not comply with the requirements of the Code are allowed to go on from year to year. Unless this clause is amended a group of schools in a large town receiving large grants may pool their fees, take over the excess grant, and assign the worst schools in the district to free education—schools that are deficient in building, in teaching staff, in light and air, and every reasonable requirement. I think the free schools should be at least fair average schools. Will the right hon. Gentleman secure that? If the right hon. Gentleman will give us that, I do not think we ought to press him any further.

*SIR W. HART DYKE: I am afraid I cannot answer the appeal of the right hon. Gentleman in the affirmative. The effect of this Amendment would be practically to pass a vote of censure on the operation of the Education Department. It has been said that there are schools existing which ought not to exist. But there is a continuous operation going on under the New Code by which such schools are diminishing as fast as possible. There is the strongest motive power to further this decrease. Beyond that, the Department has decided again and again that this accommodation is to be suitable and sufficient accommodation, and I consider that those words cover the whole case.

MR. SYDNEY BUXTON: I am sorry the right hon. Gentleman does not see his way to the acceptance of the Amendment, and it seems to me that he does not fully appreciate the point raised. The object of the Amendment is in no way to pass a censure on the Department or the Inspectors, but to protest against a state of things which has been shown to exist. The object of hon. Members opposite is apparently to make the parents dislike free schools, in order that a large amount of support may be given to the other schools. As the right hon. Gentleman is unable to accept this proposal we shall have to press it to a Division.

*SIR WALTER FOSTER (Derby, Ilkeston): I would point out that there is a sanitary aspect of the question relating to these schools which seems to have been somewhat overlooked. Many of these schools are extremely unhealthy, and if there is one class of scholars which ought to be looked after in this respect it is the poorer class. There are all sorts of defects in many of these schools as regards light and ventilation, as well as the amount of sanitary accommodation afforded to the children. I think we should see these defects remedied, and in the interests of public health, as well as of decency and morality, we ought to take care, not only that the children should receive their education free, but that every precaution should be taken to put the schools in the best possible sanitary condition.

(7.32.) The Committee divided:—Ayes 54; Noes 104.—(Div. List, No. 323.)

*(7.50.) MR. TALBOT: The object of this Amendment is to give a period, after the wants of a district have been ascertained, during which voluntary aid might be provided to meet those wants. Towards the end of the year after the passing of the Act, and within a month or even a day of that time, some one might go to the Department and represent that there was an insufficient amount of free public school accommodation, and the supporters of the voluntary schools might know nothing of it until it was too late to supply the deficiency, although they might be willing to do so. Nobody would be damaged by this Amendment if accepted, because it does not matter, looking at the subject from an educational point of view, who provides the education so long as it is provided. I think a year is not too long a period to give for providing the required accommodation. I assume that it is not intended to use the Bill as a means to promote the Board at the expense of the voluntary schools, and my object is to provide that everybody shall have a fair field and no favour.

Amendment proposed,

In page 2, line 40, after "case," to insert "The department shall publish a notice of their decision as to the amount of additional free public school accommodation which appears to them to be required for the district, and directing such accommodation to be supplied; and if not otherwise provided within one year from the time at which such order was issued."—(*Mr. Talbot.*)

*SIR W. HART DYKE: I am afraid I cannot accept the Amendment of my hon. Friend. The first objection to it is that under Sub-section 3 a year must elapse before any representation can be made to the Department; and after that the Department would be bound to make a local inquiry upon notification being made to them. Then by Section 9 of the Elementary Education Act of 1870 the Department must give notice of their decision. Therefore, so far as the earlier part of the Amendment is concerned, its object is met by the Bill, which provides that the deficiency is to be supplied in the manner provided by the Act of 1870. Then my hon. Friend further asks that another year should be given. Her Majesty's Government have carefully considered the new position created by the sub-section as it stands, and they believe they have provided machinery which will adequately meet all demands, and if another year were to be added very great difficulty might arise.

(7.55.) VISCOUNT CRANBORNE: I wish the Committee to consider the way in which this measure would work in certain parts of the country. In places such as Darwen, which I have the honour to represent, the Bill, when passed, would be received with absolute consternation. No one would have the least idea what places would be required. They would contemplate the position with stupor, and do nothing at all. I do not understand by what machinery it

is proposed to find out how many places would be required. Is there to be a house-to-house visitation? It is evidently intended that a little grace should be given, for the Bill provides that no step can be taken until a year after it has passed. It is quite obvious the important time for delay is not after the passing of the Bill, but after the decision of the Department that a certain number of places are required. Every delay is of value, but there is no very particular value in the year after the passing of the Bill. If the right hon. Gentleman would consent to transfer the period from the passing of the Bill to after the decision of the Department, I, for one, would assent to the alteration. I appeal to the Committee as to whether this is not a perfectly reasonable proposition. For my part, I do not believe that any sound argument can be brought against it.

*SIR L. PLAYFAIR: I should like to ask the noble Lord by whom this Bill will be received with consternation? Certainly not by the people; because the purpose of the Act is to give them free education, and they would hardly exhibit any consternation, for they would expect the voluntary schools to adjust themselves to the Act. Well, what does the Amendment propose? Why, that three years' delay shall take place. First of all, one year is to be allowed before any action is taken, and another year will be spent in an appeal. Now it is actually proposed that a third year shall be added to these two years before the free education in the Bill is provided. It is said that no one would be damaged, but certainly if this Amendment is passed voluntary schools will be damaged. When the people know the intentions of Parliament, will they consent to allow voluntary schools three years' grace before they receive the benefits to be conferred by the Act? If it were a question of Party interests, I should be delighted to give the three years' grace, because it would have an effect at the General Election very prejudicial to the Government; but in the interests of education the third year's delay ought not to be granted.

*(8.2.) MR. W. H. SMITH: I wish earnestly to appeal to my hon. Friend not to press the Amendment, because no greater injury could, I believe, be done to voluntary schools than would be done by accepting it. A year has been left, during which it is hoped the managers of voluntary schools will make their arrangements in their respective districts, and at the expiration of that time they will, under the operation of the Act of 1870, have ample time to do what is required. If it should be shown that voluntary schools are standing out against a public demand for free education that will be a great misfortune for the voluntary schools, and it will not only stimulate a general desire for School Boards, but it will shake the confidence of the public in the devotion of managers to the cause of education. My hon. Friends who support the Amendment have not sufficiently realised the arrangements that are provided for in these cases. The Bill allows a year, which intelligent managers will make good use of. It is my impression that as soon as any school becomes free there will be a general ferment with regard to free schools, that the population of each district will make known their wants within a limited period, and that managers will be able to arrive at a satisfactory idea of the extent of the accommodation that will be required. I am confident that they will provide before the end of the year the free school accommodation that is required. I believe in their intelligence and in their devotion to the interests of education and of religion, which has induced them to make sacrifices for voluntary schools, and the proposals the Government have made, after the most careful consideration, are ample to give all the time that is necessary to protect the interests they desire to preserve.

(8.8.) VISCOUNT CRANBORNE: I have to ask one question. I wish to know how much time is allowed by the Education Department for supplying the requirements made in their order?

*MR. W. H. SMITH: If my noble Friend will turn to the Act he will see that the several stages are most carefully set out, and practically the time will be fully as long as is proposed by the Amendment.

*SIR W. HART DYKE: Rather longer.

*MR. W. H. SMITH: It is almost impossible that adverse proceedings could

be taken against any managers much under a year.

MR. MUNDELLA: The position in these cases is altogether different from what it is when new schools have to be provided. The schools are already in existence, and therefore so much time is not required.

*MR. TALBOT: I hope it will not be thought I have made an unreasonable proposal. I quite understand that there are a great many stages to be gone through, and that considerable time must elapse before a final order can be issued. But it is after the final order is given that I ask for grace; I do not care so much about the intervening time. The people who have to act on the order want time to consider what they will do.

Amendment, by leave, withdrawn.

(8.10.) MR. PICKERSGILL (Bethnal Green, S.W.): I propose to move the omission of the latter part of Sub-section 3 in order to place the words in a separate sub-section. The words are the following:—

"The expression 'public school accommodation in that Act (1870) should include public school accommodation without payment of fees."

These words, as they stand, would be limited by the context of Sub-section 3. But hon. Members will find on reference to Section 18 of the Education Act that a School Board is bound from time to time to provide such additional school accommodation in its district as may be necessary, and if the words I now propose to omit from Section 3 of this Bill were put in the form of a separate clause, the effect would be to give existing School Boards power to provide additional school accommodation at once, and without waiting for a requisition from the Education Department. I, therefore, move the omission of these words, with the object of placing them in a fresh section.

Amendment proposed, in page 2, line 42, to leave out from the word "and," to the word "fees," in page 3, line 2, inclusive.—(*Mr. Pickersgill.*)

*(8.15.) SIR W. HART DYKE: I must oppose this Amendment. The words as they stand are perfectly consistent.

MR. PICKERSGILL: Is it not the intention of the right hon. Gentleman to give existing School Boards the power to which I have alluded?

*SIR W. HART DYKE: They already have it.

MR. PICKERSGILL: I am aware they can provide fuller educational room in their own schools; but suppose the voluntary schools insist on continuing to charge fees, will the School Boards have power to erect new Board schools?

*MR. W. H. SMITH: I hardly think that point arises on this Amendment.

Amendment negatived.

*(8.16.) MR. CHANNING: Of the next three Amendments which stand in my name I only propose to move the third, which is to add, at the end of line 2, page 3, the following proviso:—

"Provided also that for the purposes of this Act it shall not be held that sufficient public school accommodation without payment of fees has been provided where a portion only of the school places in any school are made free."

I make this proposal in order to lay down clearly the right of a parent to have free education for his children without inquiring into his circumstances. I venture to assert that if the Bill remains in its present form it will not contain that principle. I have understood from the first that one of the main objects of the Bill was to put an end to the vicious system by which relief from fees can only be secured by applying to the Guardians or to the Remission Committees of School Boards. I may be told that the Bill as it stands will be sufficient to meet this difficulty, and that if a parent represents to the school manager his desire to have his children educated free he will get his wish complied with. But I do not think that that will be the case. We shall, I fear, still have discrimination by school managers between one class and another. Under this Bill the parent in some cases will still have to go to the Board of Guardians. That is what I wish to prevent. This Amendment will have the effect of preventing the managers of schools from discriminating between the scholars who pay and those who do not pay, and will thus remove the danger of

the stigma of pauperism from attaching to those children who receive free education. The hon. Member for Evesham seems to think I have put these words on the Paper with the intention of embarrassing the action of voluntary schools. That is not the case. I believe there is only one place in which the principle of free places has been effectively carried out, and that is at Birmingham; but the evidence laid before the Royal Commission by Dr. Crosskey showed that even there the system of issuing free orders has led to men accepting them being taunted with the fact by their fellow men, with the result that bitter disputes have occurred. I believe if the Bill is not altered on this point, the effect will be that not only in large towns, but also in rural districts where the school fees have exceeded 10s. a year, there will grow up a system of free places in schools as distinct from free schools, and this I urge would be most undesirable. It will tend to perpetuate social discontent. That danger we ought to avoid; we ought not in our schools even to run the risk of differentiating between one class of children and another. Is not the right hon. Gentleman contemplating a power of discrimination between one class and another in schools in which the fees now slightly exceed the 10s. grant. I fear that he is. He said it would be the duty of the Department to see that the sum raised by fees in the future did not exceed the sum now received over and above the 10s. fee grant. But, at the same time, he admits that the Department will not have to take cognisance of the manner in which the sum is raised, and that the managers may distribute it as they think fit, and call upon certain parents to pay higher fees. This, I repeat, will result in certain children being subjected to the social stigma of pauperism. I press this Amendment most earnestly on the right hon. Gentleman. I hope that before this Bill leaves this House he will take steps to ensure that in the large towns school managers shall be compelled to place free schools in different parts, and give reasonable accessibility to them to those who desire it. As to the rural districts in cases in which the fees have in the past exceeded the 10s., I hope he will provide a means of preventing a discrimination between the children of poor parents and those who can pay a fee.

Amendment proposed,

In page 3, line 2, at end, to add "Provided also, that for the purposes of this Act it shall not be held that sufficient public school accommodation without payment of fees has been provided where a portion only of the school places in any school are made free."—(*Mr. Channing.*)

*(8.25.) SIR W. HART DYKE: Surely the hon. Member does not expect me to accept this Amendment. The result of doing so would be to destroy the whole framework of the Bill. It is essential that managers should have power to discriminate between the children, because it would be most unfair that a district where there are only 15 children whose parents desire free education should be put to the expense of providing free education for the whole of the children whose parents are able and willing to pay for them. The idea that any stigma of pauperism will attach to children who receive free education is absurd.

*SIR L. PLAYFAIR: I hope that the hon. Member will not press his Amendment to a Division, but will be satisfied with having expressed his view that in large towns, at all events, there ought to be no discrimination made between the children in a school. In that proposition I am disposed to agree. I admit that there would be a great deal of difficulty in carrying out that proposal in the rural parishes. I should like to obtain from the Vice President an assurance that he intends to introduce a clause repealing the necessity for applying to the Guardians for the remission of fees, for, as long as that remains, the stigma of poverty will apply to those who have to so apply.

*SIR W. HART DYKE: The right hon. Gentleman must see that we must, first of all, decide the actual interval. Then this point can very well be dealt with in the Schedule of the Bill.

MR. ILLINGWORTH: I have heard with very great regret the decision of the Government. Scotland possesses universal School Boards and free education, and we in England ought to have a system which would prevent differentiating between various classes of children.

The very words the right hon. Gentleman has just used indicate clearly what will be the position of the poor people in the agricultural parishes. There are to be free places for the children of those parents who cannot pay fees. By this Bill you will really fix the stigma upon those parents, not only of inability, but of unwillingness, to meet the demand made by the managers of these schools. The measure of the Government, after all the professions that have been made on its behalf, really casts free education to the winds. I am quite satisfied that the sectarian schools in the towns must so accommodate themselves as to have free schools in every populous locality, but my anxiety is really for the 10,000 agricultural parishes where there is to be set up by this Bill a system of ticketing of the different classes in the same school—some children will pay nothing, others will pay a small fee, and others a higher fee. I am satisfied that in the interest of the schools themselves right hon. Gentlemen have made a serious mistake. This provision must create a deep sense of wrong, humiliation, and dissatisfaction, and that will simmer, and when a General Election comes I suppose the public in the rural districts will understand what it is that is being given to them—that a dole is really being given to them. We shall not hesitate to let the country understand that whereas this Parliament has given to Scotland a system of universal School Boards, it has withheld it from England, and placed a stigma upon the parents who cannot afford to pay school fees for their children. I am persuaded great injury will be done not only to the elementary education, system of this country, but also to what are known as voluntary schools.

*Mr. H. J. WILSON: The Vice President objected to the statement that there will, by this clause, be set up in the schools a pauper distinction. I suppose the right hon. Gentleman knows that something of the kind exists at the present time, and that children are divided into two classes, those who pay and those whose fees are remitted. During the recent elections in the rural districts the barn doors were placarded in all directions with statements as to what the Government was going to do for the people; but now we find a good deal of all that was a delusion, and we now understand that distinctions which have hitherto prevailed are going to be maintained.

*(8.36.) Mr. ROBY: Nothing could be more painful than some of the distinctions which were formerly set up in schools. I knew of one school in Yorkshire in which there were free scholars and paying scholars. The free scholars were put on one side of a partition and the paying scholars on the other, the master from his high desk being able to overlook the two bodies of children. The general terms applied to the two classes of children were sheep and goats. That is not so likely to occur in future, but hon. Members must remember that this Bill really provides for the admission of free scholars into a practically fee-paying school: free scholars can come in, as I understand, more or less as paupers. If the Vice President cannot make any provision of the nature indicated in the proposed Amendment I hope he will instruct his Inspectors to see that in the schools in which free places only are given no kind of invidious distinction shall be maintained or imposed.

*Mr. SYDNEY GEDGE: Let me point out to hon. Members that this Bill entirely alters all the circumstances by putting the children on the same level. No one child can say to another, "You are paid for and I am not," because the Government Grant of 10s. will pay for each—every child will be the recipient of State bounty.

(8.40.) Mr. ILLINGWORTH: Let us take the case of a parish where there is only one school, where there are very few children for whom free places will be provided, where some of the children will be fee-paying children. There will be set up every week, by the bringing of fees in the hands of the majority of children, a pauperising stigma, a ticketing of the children who enter the school free. I cannot conceive a child placed in these circumstances who must not every day of his life realise the inferior position in which he is placed. On the other hand, suppose that a great majority of the places are made free in order to meet the poverty of the

great majority of the parents. You will have a small selected fee-paying class. Does anyone believe that this small superior, or fee-paying, class will not be regarded as the first class in the school, to the infinite injury of the common life of the school? It is evident that Government have moved in this matter to save the voluntary schools from other changes which are impending. (8.42.)

(9.15.) MR. ROWNTREE: I wished to ask a question of the Vice President of the Council, but the right hon. Gentleman is not in his place.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.18.) MR. ROWNTREE: I am sorry if I have been the occasion of bringing the right hon. Gentleman back prematurely, but I wish to ask him a question in reference to some words used by him in reply to my hon. Friend, which may be somewhat misunderstood. The right hon. Gentleman in the course of his remarks said the Bill retains to managers the power of discrimination they now possess; and as the discussion was upon the question of procedure for the remission of fees, I think an impression was created that there might be a certain power of discrimination with managers as to free entrance to schools.

*SIR W. HART DYKE: No; I did in discussion use the word discrimination, but I was then following the line of argument of the hon. Member, and the word was used in relation to the different grades of fees, and I said it was desirable to retain that system. The discrimination I referred to was as between fee and fee, not as to any discrimination managers might exercise in regard to the allotment of free places.

*(9.20.) MR. CHANNING: I only wish to say why I think I must take a Division. The power of differentiating classes by fees is frequently made the means of excluding certain classes of children from a school, but that is not the point to which I attach the greatest importance. The power of going behind and considering whether parents are suitable persons to have for their children free places in a school is a power that may be used as a means of coercion and oppression in rural parishes where clergymen have the management of voluntary schools. I feel it my duty to press the Amendment to a Division.

Amendment negatived.

Clause, as amended, agreed to

Clause 4 omitted.

Clauses 5 and 6 agreed to

Clause 7.

Amendment proposed, in page 3, line 16, leave out from "the expression 'fee,'" to "on their behalf and," in line 19, both inclusive.—(*Sir W. Hart Dyke.*)

Amendment agreed to.

Amendment proposed,

In page 3, line 22, at end, add "and the expression 'average attendance' shall, for the purposes of the fee grant, mean average attendance calculated in accordance with the said minutes."—(*Sir W. Hart Dyke.*)

(9.25.) MR. MUNDELLA: This, I think, has reference to half-time attendance. I wish to ask the right hon. Gentleman what, under the Amendment, will be the amount of the fee grant in respect to half-time, whether it is to be in excess of the 10s., and, if so, how much—how much will be the demand of the Chancellor of the Exchequer for freeing the half-time schools, and why he introduces the fee grant in the case of half-time?

*SIR W. HART DYKE: This is introduced to meet what we consider the fair demand made by hon. Members behind me in respect to half-time scholars. It has been pointed out that the Bill as now drawn operates to place half-timers at a disadvantage, and this Amendment is proposed in order that half-time scholars may be on the same level with full-time attendance in regard to the fee grant as well as the ordinary Parliamentary grant. We believe that this proposal meets all requirements. We take the half-time attendance, and adding thereto 50 per cent., give a fee grant of 7s. 6d.

VISCOUNT CRANBORNE: Half-timers are to receive 7s. 6d. instead of 10s., and

I am very much obliged to the right hon. Gentleman for the change. I think it must have been contemplated in the original draft of the Bill. I confess I have some regret that the right hon. Gentleman has not seen his way to go a step further. The half-time scholar is practically equal to the full-time scholar, and learns quite as much or very nearly as much in the half-time attendance as the full-time scholar does in full-time attendance, and the same appliances and teaching staff are required for the half-time scholars. It is much to be regretted that half-time is not placed on the same footing as full-time, receiving the 10s. grant instead of 7s. 6d. I do not think the distinction made merely because of attendance half or full-time is one that can be justified. It will be felt as a grievance in the schools in the North where the half-time system prevails, and I confess I do not altogether abandon the hope that before Report stage is passed the Government will take a further step and consent to the half-timers being placed in exactly the same position as full-time scholars as regards the fee grant.

*Mr. HENEAGE (Great Grimsby): In my opinion, the Government have made a fair and indeed a liberal offer in regard to half-time, but already the noble Lord is asking for more. It seems very difficult to satisfy the demands of the noble Lord. For my own part, I think the half-time schools deserve liberal treatment, and I am thankful to the right hon. Gentleman for having made this concession. I, for one, should very strongly object to their going any further in that direction.

*(9.30.) Mr. F. S. POWELL (Wigan): I hope my right hon. Friend will allow me to thank him for the concession he has made in favour of the half-timers. I can assure him that the subject has been discussed with great anxiety in our manufacturing districts, because we felt that the Bill as it stood contained a defect. I have received a communication from the borough of Wigan from which I find that the half-timer and the full-timer in many of our voluntary schools pay the same fee. The concession made by the Government will, however, not quite meet the case, and I hope that the matter will be fully considered before the Report.

*Mr. AINSLIE (Lancashire, N. Lonsdale): I would appeal to my noble Friend (Viscount Cranborne) to give way on this point. The Government have made so many concessions that those of us who have been strong supporters of the voluntary systems are content now to leave the matter in their hands. I feel sure that those whose children are going to be relieved by the operation of this Bill will themselves support the Government, and I would appeal to Lancashire Members to put their shoulders to the wheel rather than their backs to the wall.

(9.33.) Mr. MUNDELLA: I cannot allow these words to be added without making some reasonable protest in the interest of economy. The Government have made many concessions on this Bill, but I think the most gratuitous and extravagant has been on this question of half-time. We have always allowed that half-time counts for two attendances. It is only fair that should be so, because there is great difficulty in teaching the half-timers and in keeping them at all within reach of the ordinary full-time children. There is no doubt that nothing adds so much to the laboriousness of the teacher's work as having in his school a number of half-timers, and there can be no doubt that the half-timers do not keep abreast of the full-timers. [Viscount Cranborne: Yes.] The noble Lord contradicts all experience and all the common sense of the case. He appears to out-Herod Herod in this matter. It is fair to make some recognition of the labour the teacher has to go through in instructing half-timers. That is done by making an allowance on the attendance. Now you are going to make it on the fees also. In the Bill as it stood the Government dealt with half timers—that is to say, they provided that two attendances should count for 10s. But there is a system which has grown up in Lancashire of charging half-timers extravagantly. If the conditions in the rich manufacturing districts of the North are compared with the conditions in the South, where the landed gentry contribute largely to the schools, the com-

parison is, in respect of fees, all in favour of the South. In order to satisfy the Lancashire discontent—which is not creditable to some of the Lancashire Members — the Government is now giving 10s. for the attendance of full-timers, and 7s. 6d. for half-timers. This is an extravagant fee grant, and will only tend to the multiplication of half-timers. I am not going to divide the Committee against it, because I know the Government would beat us, and I do not want to waste time, but I do enter my solemn protest, first against the extravagant charges with regard to half-timers, and next to the Government giving £22,000 or £25,000 additional grant by this Amendment. Happily we are indebted to some gentlemen in this House for having reduced by one-third the period of half-time. I hope, for my own part, we shall get rid of the other two-thirds some day.

*(9.39.) MR. TOMLINSON: It does not seem to me that the speech just delivered is particularly relevant to the question before the Committee; but, as to the abolition of half-timers, I should like the right hon. Gentleman to come to Lancashire and make such a proposal. I wish to thank the Government for the concession they have made to us.

MR. BRUNNER (Cheshire, Northwich): I would make an appeal to the right hon. Gentleman whether, in consideration of this great concession made to half-time scholars, he will not consider the desirability of compelling schools to take half-time children at reasonable fees?

*MR. F. S. POWELL: It is only fair to my North Country friends to remind the right hon. Gentleman opposite that equal payment for full-timers and half-timers prevails under the School Board of Bradford. I have just learnt that in voluntary schools at that place the half-time scholars only pay half fees.

Question, "That Clause 7 stand part of the Bill," put, and agreed to.

Clause 8 agreed to.

Clause 9.

*(9.42.) MR. TALBOT: I beg to move to omit "September" and insert "November." As the Bill will not become law before the end of July, and as the month of August is a recognised holiday month, the managers of schools will not have proper time to make arrangements for availing themselves of the Act by the 1st of September. On the Treasury Bench this question is mixed up with financial matters, but I do not know why the Opposition should wish to rush the Bill through the House in this absolutely unprecedented manner. [*Opposition cries of* "Oh!"] No Bill of similar magnitude has ever been passed at such a speed. There can be no great necessity for hurrying on the operation of the Bill. What can it matter to hon. Members opposite whether the Bill comes into operation in September or in November? Do they imagine it will become unpopular in the interval? [*Laughter.*] Though my own fears are greater than my hopes, I am only proposing this Amendment with a view to secure the easy working of the proposed new arrangements.

(9.45.) Amendment proposed, in page 3, line 27, to leave out "September," and insert "November."—(*Mr. Talbot.*)

Question proposed, "That 'September' stand part of the Clause."

MR. LAWRENCE (Liverpool, Abercromby): Although I have given notice of an Amendment to substitute January for September I support the Amendment in the interests of large districts. The proposal of the Bill will be all very well for some districts, but in many suburban districts where there will be a large amount of grouping there must be careful consideration before the Bill can be satisfactorily put into operation. To my mind six months would be none too long for the arrangements managers have to make. At all events, my hon. Friend's Amendment is necessary, because August is the general holiday month, in which it will be difficult to get managers together. In large urban districts, such as Liverpool, there will have to be grouping of schools, and the best way of meeting the Bill will be to arrange which shall be free schools and which graded schools, but these arrangements cannot be made hurriedly, and therefore the Amendment before the Committee is a reasonable one.

(9.49.) MR. H. H. FOWLER (Wolverhampton, E.): The reason for this Amendment is simply this; that we want our constituents to have the benefit of this legislation at once. The country is expecting this benevolent legislation to come into operation from the end of the school year, which terminates on the 31st of August, and all the Opposition desire is to see the original suggestion of the Chancellor of the Exchequer carried out, and elementary instruction made free as soon as possible in the majority of elementary schools. As to time being given for the necessary arrangements to be made, in many districts there will be 12 months allowed, but under the Bill as it stands, the Act will come into operation at once. The people have a right to ask that now that Parliament has decided to give them this boon there should be no delay in allowing them the benefit of it.

*(9.52.) SIR E. BIRKBECK (Norfolk, E.): I hope that under no consideration will the Government accept this Amendment. There is a very strong feeling that the sooner this measure comes into operation the better. If it were possible I would say the 15th of August, instead of the 1st of September. I regret the line some Lancashire Members have taken in connection with this Bill—offering opposition in so many ways. I trust the House and the Committee on this and the further stages will take every necessary means to facilitate the progress of this most useful and popular measure.

MR. PICTON: The hon. Member for the University of Oxford has said it would not matter to us on this side of the House whether the date were September or November; but I would tell him that it matters a great deal to the parents of the children in our elementary schools. The school fees between September and November will average about 2s. for each child. If there are three children going to school, the fees will amount to 6s. The amount which would be paid by the parents would be one-sixth of the annual fees, or close upon £400,000. The Amendment would deprive the parents of this large sum and cause them grievous disappointment. It would be breaking faith with them.

MR. J. ROWLANDS (Finsbury, E.): I hope Her Majesty's Government will not accede to this Amendment. I think the least we can expect is that the Government should keep the promise they have made to the public outside. The hon. Member for the University of Oxford seems surprised that we should be in such a hurry to get the Bill through, but our answer to him is that we believe in free education, and want to see it enjoyed by the people as soon as possible. We shall support the Government in carrying the Bill through.

*(9.55.) MR. W. H. SMITH: I am afraid the Government cannot make the proposed change. They can hardly go back upon what they have proposed. I believe that from this time forward the managers of the schools that will be affected will see that it is necessary to make the arrangements that will be required on the 1st of September, and long before the holiday month of August they will have completed their arrangements. If I could meet the views of my hon. Friend I should be glad, but, looking at the engagements of the Government, I cannot do so.

Question put, and agreed to.

Clause agreed to.

Clause 10 agreed to.

*(9.57.) SIR L. PLAYFAIR: I beg to move the insertion of the following clause after Clause 2:—

"It shall be the duty of the Education Department to secure, by provisions in the Code and by instructions to the Inspectors, that in the case of any school partly supported by rates or voluntary subscriptions or endowments, where the fee grant exceeds the total previous fee income of the school, such surplus (unless the Education Department certify that the expenditure is not necessary or inexpedient) shall, in the first instance, be expended by the School Board or school managers of such school in the improvement of the school accommodation, or in promoting increased efficiency of education under the conditions of the Code; provided, in the case of any school which is wholly supported by grants from the Education Department, or where the rates or subscriptions and endowment together do not amount to 5s. per scholar in average attendance, then the whole of such surplus shall be applied for the purposes aforesaid, and it shall be the

duty of the Education Department to secure such application."

This clause deals impartially with Board schools and voluntary schools, and it is limited to schools in which the fee grant exceeds the previous fee income. I wish to appeal to hon. Members opposite to believe that I am acting in absolute fairness with regard to voluntary schools and Board schools. They are both part of the educational system of this country. The Board schools carry on their work with great advantage to the people over whom they have control in regard to educational matters, and the voluntary schools exercise a large and useful influence, and I do not wish to show any partiality to the one class or the other in this clause. We are giving this fee grant for the purpose of cheapening education, and making it better than it has been. We hope that more and more scholars will reach the higher standards of the Code. There are degrees of efficiency. For example, the principal grant under the Code is 14s. 6d. in the best schools, and 12s. 6d. in others. The first part of the new clause deals with Board schools and voluntary schools in the same sense. Some School Boards draw liberally from the rates for the cheapening of education. In Birmingham, for instance, the fees average 5s. 7d., and the difference is made up from the rates. In Somerset the subscriptions have been large and the fees low, and when the subscribers have been giving large subscriptions, and the fees have been low, and the schools have been efficient, they have quite as much right to be considered with reference to the surplus as the schools in Birmingham, in which the fees have been kept low at the expense of the rates. The first part of my clause deals, practically, equally with both classes of schools. Subscribers have have as much as ratepayers to be considered with reference to the surplus of the fee grant over the fees, and it is equally right to use the fee grants in reduction of subscriptions as in reduction of rates. I do not believe that in either case they will do it, because they will prefer to advance the character of the education by the use of the surplus. If the schools are efficient they have the right, if they choose to exercise it, to diminish the rates or to diminish the subscriptions. I have said in the first instance that efficiency shall be secured. Suppose there are half-a-dozen schools in Birmingham that are not efficient. I say their surplus shall first be applied to secure efficiency, and having secured efficiency to the satisfaction of the Education Department, they may use the surplus either in the reduction of the rates or reduction of the subscriptions. I think that the managers of both voluntary and Board schools will admit that that is absolutely fair. The second part of my Amendment says that where there are no subscriptions the surplus shall be wholly applied to increase the efficiency of the school. There are 1,176 schools in the country which have no subscriptions at all. In future the fees are to be paid by the State. The schools cease in every sense to be voluntary schools, they are purely State schools, and it is surely right under these circumstances that any surplus there may be shall be used to promote the efficiency of the school. My right hon. Friend will agree with me that all schools are not efficient. In all probability the teachers in the 1,176 schools which receive no subscriptions the teachers are badly paid and are of an inferior class. I wish that any surplus may be used in obtaining more efficient teachers, a better system of teaching, and better school appliances. The hon. Member for Stockport said to me to-day that in my speech on the Second Reading of the Bill I spoke of the building of voluntary schools as an interesting historical reminiscence. I repeat that the building of such schools is an interesting historical reminiscence, and contend that it is the present participation of such schools in the act of education which makes them alone have a claim to be considered as voluntary schools in the future. How can the 1,176 schools be considered voluntary establishments? For their own sake, and in order that they may be useful to the education of the country, I ask that any surplus there may be shall in the first place be used in increasing the efficiency of the schools. Hon. Members know there are means of getting teachers cheaply. Some teachers do other things beside teach; they become the organist of the church, and

in this way diminish the charge on the school. I desire it to be enacted that all the money shall be used for education. Up to that point I think all will agree with me. If you do not make this enactment, the voluntary schools that have no subscriptions will become the butt of every person who wants a Board School: he will say they are not voluntary schools at all. What is a voluntary school? I will read the remarks the Lord President made on the subject to a deputation from the Church School Association which waited on him two days age. Lord Cranbrook said—

> "The Royal Commission, you will remember, said, in one of its recommendations, that voluntary management was only excusable on the ground that people paid subscriptions."

But here are 1,176 schools that have no subscriptions at all. If you wish to keep them as voluntary schools you will, at all events, agree to that part of my clause which provides that any surplus shall be employed in improving the efficiency of the schools. There may be a difference of opinion as to the third branch of my clause, but if the Government refuse to accept it, I believe they will do much injury to the voluntary schools. I do not want to itensify the isolation of voluntary schools from the people, but you will intensify it if you allow a number of voluntary schools to pay back the subscriptions out of the surplus income. There are a great many schools in the country the subscriptions to which amount to 1s., 2s., 3s., or 5s., and which will be paid back out of the surplus, unless we provide against it. In the Second Reading I pointed out that there are 129 schools in Wales which will be able to dispense with all subscriptions. If they used the surplus, which they can do, for paying back all the subscriptions, they will place themselves in the position of the 1,176 schools I have spoken of, that is to say, they will become purely State schools. There will be great danger to the voluntary schools if subscriptions are repaid out of the surplus. There will be a sham voluntaryism about the schools, for they will take public money and make no effort to fulfil the obligations which the receipt of the money entails.

Sir L. Playfair

Not only will there be great danger to the voluntary schools, but to the Church establishment also. Their enemies will point to the fact that there are in the country schools belonging to the Church of England that practically have no subscriptions, and yet claim their existence as a preserve of the Church. In the third part of my clause I prescribe that if the subscriptions do not amount to 5s. per scholar, any surplus shall be used for the purpose of improving the efficiency of the education. I commend the clause to the Committee, again assuring hon. Members opposite that I have tried to construct it with perfect fairness towards the School Boards and the voluntary schools. I believe that it will increase the efficiency of education in both, and that it will operate really to the advantage of the voluntary schools.

New Clause—[Fee Grant (surplus),]—(*Sir Lyon Playfair,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(10.15.) Sir W. HART DYKE: I fully recognise the fair and impartial spirit in which the right hon. Gentleman has moved the new clause, but I shall endeavour to show that the Government will be perfectly consistent in refusing to accept it. The right hon. Gentleman has justly remarked that there are in regard to certain schools two different kinds of efficiency, and I am not disposed to differ with him in contending that, in cases where considerable sacrifices have been made by the ratepayers or by subscribers in the cause of education, and where the schools in such cases are efficient, it is only fair that those ratepayers or subscribers shall receive some relief. The right hon. Gentleman then passed on to deal with a class of schools which are not so efficient, and he fairly urged that some security should be given that in such schools, where the grant of 10s. is in excess of the fees charged up to a certain date, the surplus shall be devoted to increased school efficiency, and shall not go into the pockets of the subscribers. With this object the right hon. Gentleman has moved a clause at the outset of which he lays down that it

shall be the duty of the Education Department to secure the object in view by provisions in the Code. But I appeal to the Committee whether it is necessary that such words should be inserted in the Bill at all. The Code is in the hands of the Department; it is the one and only instrument by which it can carry out the object desired, and by which efficiency can be secured, and I submit that if we put a dozen new clauses of this nature in the Bill, not one of them can be more operative or impose greater responsibility than the Code does at present. The demands of the new Code of 1890 are most explicit, and it is impossible by inserting any such clause as this in any Act to impose heavier responsibility than is now laid by the Code on the Education Department. The Code lays down distinctly that the schools must be efficient, and with regard to those schools to which the right hon. Gentleman has referred, in connection with which there are no subscriptions, and which are not efficient, every farthing of the extra grant, under the proposals of the Government, will have to go to the improvement of the schools. And if no improvement is forthcoming in a certain time, the schools will be held to be inefficient. The Inspectors will report on them, and the result will be that on the report of inefficiency the penal provision of the Code will be at once brought into operation against them. I venture to urge, therefore, that the whole of the machinery of the proposed new clause now exists in the Code of 1890, and that no addition to this or any other Bill can make the Code more explicit in regard to the demands which shall be made on all the schools referred to. In these circumstances the Government cannot accept the new clause.

*(10.25.) MR. HOBHOUSE (Somerset, E.): As I was the first person to put down this Amendment, and as the right hon. Gentleman was not in a position to give me an answer the other day, I think I have a right to ask him for an answer now on the principle of my new clause, as well as on that contained in the clause of the right hon. Gentleman, the Member for South Leeds. The object aimed at by both of us is the same, and the form in which we get this concession, if we are to get it, is comparatively immaterial. We are both anxious to see that by express enactment on the face of the Bill this surplus money shall be devoted to the cause of education, and I am all the more anxious for it as a friend and supporter of the voluntary system. I also foresee the danger to which the right hon. Gentleman who moved the clause referred—and I regard it as a real danger—that if in consequence of the Bill the subscriptions of the voluntary schools materially fall off, as I believe they will in some parts of the country, the voluntary schools will greatly suffer thereby. If the principle of the new clause is met by the Code—if, as the Vice President has said, every farthing of the surplus must go to increase the efficiency of the class of schools in question, what valid objection can there be to declare it on the face of the Bill? I believe that the presence in the Bill of such an express provision will, in numerous cases, be a guide and an assistance to the school managers, and will greatly strengthen their hands against the subscribers. It is not, in my opinion, sufficient—it is not at least so satisfactory—to provide generally that the money shall be expended under the regulations of some future Code. Let the managers of the country schools know how they ought, in the opinion of the Education Department, to spend the money, and there will be much less danger of its being wasted, and of the voluntary schools in the southern portions of the Kingdom being placed in a worse position than at present.

*(10.30.) SIR WALTER FOSTER: I have upon the Paper a notice of a clause expressing very much the same views as those expressed by the right hon. Gentleman the Member for Leeds, and the hon. Member who has just spoken, and I have been induced to put down that Amendment, not only with the desire that the surplus should be applied to increasing the efficiency of the schools, but that in certain cases, and especially in rural districts, we should have the surplus applied to increasing the healthiness of the schools. In various parts of rural England this 10s. grant will exceed the

amount of the fee income, and surely it is to the public interest that in passing such a measure as this there should be a distinct expression of the will of Parliament as to how the surplus should be applied. It will be desirable in some cases that the surplus should be applied to increasing the efficiency of teaching or curriculum, but there are a great number of schools in a condition far from satisfactory in a sanitary point of view: the schoolrooms and buildings being old and dilapidated, and the ventilation and sanitary arrangements being exceedingly bad. On a former occasion when I referred to this subject an hon. Member mentioned to me an instance of a school with 300 scholars where there was no sanitary convenience whatever, but this has since been altered by the action of the Inspectors under the new Code; but the Inspectors in many instances are exceedingly tender in reporting upon deficiences in this respect, because they are anxious to avoid the closing of a school by their interference. They regard the sanitary deficiencies as a less evil than the loss to education from closing a school for not meeting the necessary requirements of construction. Some 12 months ago I brought before the House, by reference to a very graphic Report of the conditions of things in certain villages in Buckinghamshire, instances of schools in the most deplorable condition as regards sanitary arrangements, and now that school managers are about to receive a large increase of income, it is essential that Parliament should take security that the surplus shall be applied to remedying a state of things nothing less than disgraceful. In North Bucks I gave an instance in the village of Thornborough of a school with 86 children. The school will receive £43 under this grant, and this will be an excess of more than £20 over the fee income and of £7 over the total income from fees and subscriptions. In this school there is only one place provided for the natural convenience of children of both sexes, and this is a condition of affairs incompatible with ordinary decency among the children. Such cases as these I want specially brought under the notice of the Department, and I urge the Vice President to consider some such clause as this, which shall force the Inspectors to take notice of these matters and have these evils corrected without delay. At Twyford, again, in the same county, there is a school of 96 scholars with the sanitary arrangements so bad that the foul gas from a cesspool finds its way into the schoolroom, typhoid fever continually exists among the people, and the death rate among children is higher than in other rural districts, and even in large towns. Such a condition of things is bad for the educational interest of the people, bad for morality and decency, and for the physique of the rising generation; and I say we have no right to drive children into schoolrooms which are death-traps. Where we insist on attendance at school that the children may be educated for after life, we should equally insist that their health is not impaired in the process. At Padbury, in the same county, there is a school with 56 children who are allowed to take water to drink from a pump within 10 yards of a cesspool; at Maids Moreton, again, similar conditions exist, and in too many of our rural districts there is a condition of things disgraceful from a sanitary point of view, and which we should take the opportunity of this grant to at once put an end to. If we place in the Bill some such clause as this proposed by the right hon. Gentleman the Member for Leeds, or the clause of the hon. Member for Somerset (Mr. Hobhouse), or that in a shorter form of which I have given notice, we should go far to make such a state of things impossible, by making it an imperative duty of Inspectors to report to the Education Department, and of the Education Department to see that the surplus of this grant is applied in the direction indicated. I make an appeal to the right hon. Gentleman again to re-consider his position on this point with a view of making this Bill, which will shortly become an Act, as efficient as we can make it for improving not only the education of the children, but the conditions under which that education is carried on.

(10.37). MR. A. DYKE ACLAND: The right hon. Gentleman the Vice President when first he spoke upon the Bill pledged himself to the position

that under this grant the education given in the country schools should be improved, and now we ask him to carry out his pledge and secure that his well-meant intentions shall be carried out. I confess that after hearing the words the right hon. Gentleman used, most of us looked forward hopefully to the result, and it is a great disappointment to find him refusing to insert words which would ensure that the surplus of this money should really be applied to improvements in education. I must say that in Wales, where I have knowledge of the popular feeling, this refusal of the Government to accept this clause will do much to increase the agitation against voluntary schools, because it will be recognised that a large surplus of some £10,000 or £15,000 will be directly given to voluntary schools without any instruction in the Bill that it shall be devoted to education. For my own part I prefer the words of the clause of the hon. Member for Somerset, because it gives a very wide definition of the various ways in which the money should be used not relying upon the Code and the instructions to Inspectors which the Vice President so often speaks about, but giving a clear indication by statutory enactment. By way of illustration I take a case that is within my own knowledge of a school in Wales, managed by the clergy in the midst of a Nonconformist population. The increase of the efficiency of the school was recognised as a necessity, and a voluntary rate was agreed upon to supplement the subscriptions. In the result £50 a year was the amount raised by the clergyman and his friends on the one part, and by the farmers on the other, in about equal proportion. Now, with the surplus this grant will provide, there will be a temptation to the one party or the other to withdraw their support, and no instructions to the Inspectors will ever get the money back again. But if such a clause as this were in the Act the Inspector could say to the managers of the school: "Bear in mind you have now £25 additional money which you must use for the benefit of the school," and the managers would take heed and do this, for if they did not the Inspector would report to the Department. In this particular school we were able to do something to improve the efficiency, but not all that was required. We were able to raise the miserable pittance of the teacher from £25 to £30 for instance; but without the clause there will be the greatest danger of the surplus being treated as a relief to the rate of subscriptions. I venture yet to hope that something may be done in the Bill itself which will have far greater effect than Code or instructions. When this question was raised at an earlier stage of the Bill, something was said about School Boards, and the right hon. Gentleman the Member for Birmingham said it would be reasonable that in such places as Birmingham, where the ratepayers had largely contributed towards the efficiency of the schools, the surplus of the grant should return to the ratepayers, but I am glad to see that the Birmingham Board have, by a majority of 7 to 2, adopted a resolution that the grant should go towards increasing efficiency, and they have expressed an opinion that the Bill should be amended to provide that managers should devote the surplus that the fee grant would give to improvement in building, teaching appliances, and staff until the schools could be said to be in perfect order. I feel convinced in my own mind that if nothing is done on this occasion we shall, especially in Wales, give force to the cry that we are endowing the Church through the Church schools. We have now an opportunity, which seems to me to be a fair one, of dealing with the question by labelling this money, and I cannot understand why we should not remove the grievance.

(10.46.) THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There seems to be no difference of opinion as regards intention; but there is a difference of opinion as regards procedure. The hon. Gentleman who has just sat down went so far as to say that if we confine ourselves to the Code and instructions to Inspectors as to efficiency, we shall, practically, give no effect to the Act, but if, on the other hand, we only insert a clause in the Act, we shall attain all the objects we have in view.

MR. A. DYKE ACLAND: No: I did not say that.

LORD GEORGE HAMILTON: Something to that effect, or I do not quite understand the position of the hon. Gentleman.

MR. A. DYKE ACLAND: My point is this, that with such a clause, which Inspectors would be bound to bring to the notice of School Boards and managers, our intention would be more effectually carried out.

LORD G. HAMILTON: That gives me exactly what I wanted. The argument applies to only a certain class of schools where there is a surplus. Now, I have listened for many years to Education Debates in this House while I held a responsible position in the Education Department, and since, and I have noticed one peculiarity of those Debates, that the educationists who take part in them become so absorbed in the idea of the moment that they lose sight of all other questions, and thus it comes to pass that, in the course of 24 hours, arguments most inconsistent are used in support of successive Amendments. Now, the one statement of fact upon which I think there has been no difference of opinion expressed is that education is not regulated by the fees paid. It has been repeated again and again in reference to the fees paid in the schools in Lancashire and elsewhere, that the education is not the better because the fees are high, but that with high fees the education is frequently inefficient. It is a main argument then that high fees do not necessarily mean good education, but on the contrary, they are frequently associated with inefficient education.

MR. MUNDELLA: There may be low subscriptions.

LORD G. HAMILTON: I am talking only of fees. On the other hand, hon. Members have said education has been most efficient where fees are low.

An hon. MEMBER: And subscriptions high.

LORD G. HAMILTON: But what I am saying has nothing to do with subscriptions. I leave out the question of subscriptions. I am dealing only with the question of fees. I say the proposition laid down night after night has been this, that education is not regulated by fees, that where fees are high education is often inefficient, and where fees are low an efficient education is often given. Now, that being admitted, will hon. Members look at the clauses which have been placed upon the Paper by the right hon. Gentleman the Member for Sheffield, the right hon. Gentleman the Member for Leeds—both of whom have filled the office of Vice President of the Council—and by the hon. Gentleman the Member for the Ilkeston Division. All these clauses have the same fatal administrative flaw, for they propose for the first time to lay down the proposition that where fees are low a higher test is to be applied than where the fees are high. ["No!"] Surely hon. Gentlemen do not understand the consequences of these clauses. I think I can demonstrate this. What is the proposition they advance? A certain test is to be applied where the fee grant is in excess of the fees now raised; therefore the clause moved would apply only to schools in which the fee is below 3d. That is undoubtedly what is proposed, and so, according to the argument which has so often been insisted upon, this test is to be applied only to schools which are most efficient. ["No, no!"] What, then, becomes of the argument that the fee does not regulate the education and that education is frequently more efficient where the fees are low? Again, let me remind the Committee that early in our discussions a considerable amount of time was occupied by hon. Members in showing that the one thing needed to improve education was to multiply Local Authorities, and that being proved to the satisfaction of hon. Gentlemen opposite, but defeated in the House, we have now a proposition that the opinion of the Local Authority is to be overridden and set aside by Parliamentary decree. For days past it has been urged that high fees are associated with inefficient education. ["No, no!"] Yes, I have heard it said over and over again by way of taunt to my hon. Friends behind me who have stood up in defence of the Northern schools where fees are high. But now a clause is proposed making the fee and not the efficiency a test, bringing the low fee school within the test, leaving the high fees above 3d.

outside. How can hon. Members support a clause which will have this effect? The test after all should be the result of examination, and what has hitherto regulated the conduct of the Inspectors and the action of the Department is not the amount of fees paid but the efficiency. But you would now absolutely put aside the efficiency of a school, and you say—

> "What hereafter is to regulate the conduct of Inspectors is not so much the efficiency of the school as the amount paid in fees."

Now, let me give an illustration. Hon. Members who have experience of such matters in rural districts will know that often there is an efficient school in one parish with low fees, and in the adjoining parish an inefficient school with high fees. To this efficient school, because the fees are low, the grant will give a surplus and this clause would apply, but because the grant is not in excess of the fees in the other case the school would be exempt from the operation of the clause. As a means of increasing efficiency where that is most needed the clause is obviously defective. It is evident you are proposing to introduce a new definition of efficiency which practically would be fatal to the efficiency of our whole system of primary education. Though I argue against the right hon. Gentleman's clause I sympathise with his twofold object to increase efficiency and not to check subscriptions. I have shown that the clause will not promote efficiency, and what is likely to be its effect upon subscriptions? The effect will be to penalise those schools according to the idiosyncracies of Inspectors where subscriptions are low.

*SIR L. PLAYFAIR: If the noble Lord refers to my clause he will see that the first part refers to the excess of the fee grant over the fee income, and that the sanction of the Department shall be required before such is used for the reduction of rates or giving back subscriptions.

LORD G. HAMILTON: I think I have shown that the proposition is one it is impossible for a Government administratively responsible to accept. We, however, quite sympathise with the object, and we have considered whether it would be better to adopt any part of the clause or to fall back upon the Code, and I unhesitatingly advise the Committee to rely upon the Code. It is clear that when four hon. and right hon. Gentlemen have ineffectually endeavoured to frame a clause to give effect to their desire, there is great difficulty in framing such a clause as will meet the different conditions of schools. We shall find a readier method under the Code, and it will be the duty of Inspectors to enforce compliance with instructions under it. One of the instructions is, that in the case of any less efficient school, unless an improvement takes place, the whole grant may be withheld, but it is necessary to give the manager of such school due warning in order that he may adapt himself to the conditions. The right hon. Gentleman the Member for Leeds asked me to deal with the question of subscriptions. I will take the case of Birmingham, which is the first big town which occurs in the list. Would it not be unjust to place Birmingham in a worse position than Bradford or Bristol? Under this clause it would be placed in such a position. It would surely be hard to say that Birmingham, because the schools are efficient, and the ratepayers tax themselves, should therefore have a further pecuniary obligation placed upon it which is not put upon others.

*SIR L. PLAYFAIR: I beg pardon. The first part of my clause is to provide for that. If the voluntary schools are efficient the surplus may, under the clause as it stands, be used for the reduction of the subscriptions, and in the case of Board schools it may be used in the reduction of the rates.

LORD G. HAMILTON: What the right hon. Gentleman provides is that where there is a surplus it shall be expended by the School Board or by the managers of the schools. The School Board of Birmingham would, therefore, be in a worse position than the School Board of Bradford, unless they can prove to the satisfaction of the Education Department that their education is efficient. But why should Birmingham, whose education is admittedly more efficient than that of Bradford, have this new test put upon it which has no relation to the

efficiency of its schools, but simply to the fees paid? I do not propose to waste the time of the Committee further, but I think I have shown clearly that the propositions which have emanated from the other side of the House are propositions which are absolutely incapable of adoption, and it would be far better to fall back upon the assurance of the Government that in the Code there will be an instrument of promoting efficiency, not only in one particular class, but in every class of our elementary schools.

(11.4.) MR. MUNDELLA: I do not know whether the noble Lord contemplated that his speech would tend to shorten the Debate, but it seems to me the noble Lord has rendered it almost impossible to finish the Bill to-night. The noble Lord has ranged over the whole of the Debates of last week and has not dealt candidly with the clause before the Committee. A few nights ago the First Lord of the Treasury stated that there were two other clauses which aimed at accomplishing the same objects as the clause of my right hon. Friend the Member for South Leeds (Sir L. Playfair), and recommended the withdrawal of the clause then under discussion in order that the three clauses might be discussed together. The right hon. Gentleman rather indicated a preference for my clause. Under these circumstances I felt quite confident that one of the clauses would have been adopted by the Government. The noble Lord has spoken of the injustice which will be done to Birmingham, but the Birmingham School Board does not feel any sense of injustice, and is of opinion that the excess fees should be devoted to the improvement of education and not to the reduction of voluntary subscriptions. The noble Lord says the proper instrument for securing the application of the surplus fees to the improvement of education is the Code. But, assuming this to be so, there ought to be in the Bill an indication that it is the duty of the Department to see that the Code does secure it. There are efficient schools and efficient schools. A school may be efficient that teaches only reading, writing, and arithmetic. There are very few rural schools in England in which the excess of the grant might not advantageously be devoted to the improvement of education. Many such schools are greatly under-staffed, and it ought to appear on the face of the Code that it is the duty of the managers to devote the surplus to remedying such a defect. I believe that such a clause as I have placed upon the Paper would have the effect of maintaining the voluntary schools in a higher state of efficiency. All our contention about fees has been that the amount of the fee does not necessarily indicate the value of the education. I do hope we are not going to continue this discussion any longer. I did expect the right hon. Gentleman would for once have frankly met us, because I thought that on both sides of the House we were agreed that the money should be properly applied.

*MR. W. H. SMITH: There is an agreement that the surplus shall be applied to the improvement of education, but the view of the Government is that that is better secured by means of the Code than by adopting an Amendment of this character.

*(11.13.) MR. STUART RENDEL (Montgomeryshire): I desire to appeal to the First Lord of the Treasury with reference to the special case of Wales. I think the right hon. Gentleman has admitted that Wales has a special case on the subject of the surplus. Voluntary schools in Wales will by the Bill be rendered not only independent of school pence, but endowed with a surplus of £20,000 a year, and thus rendered independent of subscriptions also. Thus they will be in the unchecked control of their managers, who may make them more than ever nurseries of proselytism. I am sure the right hon. Gentleman the Vice President has had fully in mind in the drafting of the Bill the importance of dealing perfect and even justice between voluntary schools and Board schools. There is a serious danger that unless some clause by which the surplus is specifically appropriated to education be incorporated in the Bill the relation of the voluntary to the Board schools in Wales will be disturbed in such a way as, by making the voluntary school absolutely autocratic within

its sphere, seriously to injure the cause of education. In Wales the voluntary school is a Church school, and in most places it may almost be called an involuntary school. The Board schools have not, for obvious reasons, had the same chance in Wales as they have had in England. I do not desire to bring the religious question into the Debate, but there is a danger that if a measure of this kind comes into operation in Wales it will be regarded as a Party and sectarian measure, will fail of the success which everybody desires for it, and will aggravate the religious situation in Wales, which is already critical. Welshmen have not been slow to admit their obligation to the Government in the matter of education. Something has been done for higher education, and a great deal for intermediate education. The Government are now dealing with elementary education, which is really the basis of the whole system, and I hope they will place in the Bill some mandate providing that Church schools shall not be by this Bill rendered wholly independent as well of subscriptions as of fees, but shall require to maintain themselves in touch with the people, either by securing subscriptions or by giving the surplus to evening schools on advanced elementary purposes. If such a provision be adopted, there will, at any rate, be that form of popular check and relationship between the voluntary school managers and the people which the money relation naturally sets up. As things are, if you, by this large endowment of the voluntary schools of Wales, render the school managers wholly independent of any need to associate with themselves either the people or the parents, you upset the *modus vivendi*, which is at present barely tolerable, and run the risk of setting up a new source of irritation.

(11.20.) MR. JESSE COLLINGS (Birmingham, Bordesley): This question has been argued almost entirely from the point of view of the voluntary schools, but I contend that a clause of this kind is equally necessary as regards Board schools. The practice of Board schools generally does not follow on the lines of Birmingham. In most places in the South of England it is impossible for the Board schools to get a high fee. At the same time, they keep down the rates, and can only make both ends meet by practically starving the schools. Seeing that they cannot get high fees, and that they keep down the rates at the lowest point, they have to go in for low salaries, cheap appliances, and so forth. I venture to say that there is a larger percentage of Board schools in a high state of efficiency than there is of voluntary schools, and, therefore, all the arguments made use of with regard to voluntary schools are equally applicable to the Board schools. Unless a clause of this kind is inserted there will be the same cry for economy in the Board schools as in the voluntary schools. There will probably be a bonus of 2s. or 3s. per head, and this, instead of being devoted to increasing the efficiency of the schools, will be used for the purpose of decreasing the rates. I think that on every ground, and certainly on the ground I have pointed out, a clause of this kind ought to be inserted in the Bill in order to prevent Board schools, especially in small towns, and particularly in the South of England, from applying the bonus which would fall to their share to the reduction of the rates, instead of increasing the efficiency of the schools. I think it would be better for the Government to formulate some words of their own, or else to accept the words of my hon. Friend the Member for Somersetshire, instead of going to a Division which may force them to accept the clause now under discussion. If a clause of this kind be not passed, however earnest the managers of voluntary schools may be in their desire to apply the bonus to increasing the efficiency of the schools, there would always be a suspicion that the money was devoted to relieving the subscribers.

(11.26.) MR. T. ELLIS: I am glad to see that the hon. Member for Bordesley has shown quite clearly that this Amendment will apply just as strictly to Board schools as to voluntary schools. I am glad of this, because I hold that local control is better than irresponsible control. At the same time, I admit that many School Boards are extremely lax, and willing to let popular clamour for the reduc-

tion of the rates get the better of their desire for education. The noble Lord who has recently addressed us has objected that the Amendment would involve different tests for different schools. Well, suppose we admit that it will impose stricter tests on the schools; ought it not to be the aim of the Department to raise the standard of education even in the best schools? Suppose it does inflict a more rigid test upon some schools than upon others. Is it not the aim of the Education Department to raise the level of the very best schools? Is not the right hon. Gentleman at one with the Chairman of the Birmingham School Board that the schools there are not perfect?

MR. J. CHAMBERLAIN (Birmingham, W.): I described them as being not quite perfect.

MR. T. ELLIS: I will take the right hon. Gentleman's word that they are not quite perfect. I want to give him under this clause the opportunity to improve the education of Birmingham. As far as I understand, there is only one higher grade school there. The right hon. Gentleman will admit, I suppose, that Parliament is granting this money not to reduce the rates but to improve the education, and I desire to see the Act carried out in that spirit. I say it is unfair to take as your standard such perfect schools as you have in Birmingham. You ought rather to take the common average of Board and voluntary schools throughout the Kingdom; and I venture to say every Inspector will admit that there is great room for improvement in the vast majority of them. When the Government is making a grant of £2,000,000, a surplus of £20,000 over the fees now paid, is it not right to ask from the Local Authorities some *quid pro quo* in the form of increased efficiency? I will quote a few cases to illustrate my meaning. I am only sorry that the First Lord of the Admiralty did not deal with the concrete case brought forward by my hon. Friend the Member for Rotherham. You are about to make a gift of £20,000 over and above the fees now charged. What is to become of it? Is it to be thrown away? Is it to take the place of voluntary subscriptions, or to go to the reduction of the rates? Parliament never intended that that should be the case. I will take the case of two voluntary schools, one in Carnarvon and the other in Denbigh. Take first the country district. In the Carnarvon school there are 162 children in average attendance; the income from fees was £33 2s. 9d., and for subscriptions £13 3s.; total, £46 5s. 9d. The fee grant to that school under this Bill will be £81. That will obviate the necessity for charging school fees and collecting voluntary subscriptions, and give the managers a surplus of £34 12s. Then take the case of a town district. In the Denbigh national school the average attendance is 259; the income from subscriptions, £21 10s.; the income from fees, £66 18s. 10d.; yet the fee grant to this school will very considerably exceed the income derived from fees and subscriptions. Will the Education Code meet such a state of things as this? Lest the right hon. Gentleman should think I have an animus against voluntary schools, I will take the case of a Board school. There are 16 Board schools in one district in the County of Monmouth; the average attendance is 4,898; the fees amount to £1,298, and the fee grant under this Bill will exceed the fees by nearly £1,150. In the district of Aberystwith adjoining there are seven Board schools; the average attendance is 2,564; the fees amount to £658, and the School Board will make a profit of £600 on the fee grant. In a national school in the same district the average attendance is 387; the fees amount to £44, and the school will make a profit of £147. Yet in all this vast industrial district there is not a single evening school or advanced elementary school. With the windfall they are about to receive they should be compelled not to decrease the rates, but to increase the efficiency of the education they give, to establish evening schools, and schools where picked boys and girls may obtain picked education. Under the present system Welsh children go back to their homes at the expiration of their school days very little the better for the so-called education that they have received. I appeal to the Vice President and to the right hon. Gentleman the Member for West Birmingham, who has had considerable influence in

the drafting of this Bill, to see that the money now voted shall be productive of increased educational efficiency, and shall go some distance towards repairing the damage which has been done to the educational system of Wales. If such a clause were inserted in the Act it would practically command the School Boards in districts of Wales to establish district schools; it would give an impetus to the cause of education in the Principality, and it would be in accord with the spirit of Parliament by securing not a reduction of rates, but increased educational efficiency.

*(11.41.) SIR J. LUBBOCK: I should have been glad if together with this great additional grant from the Exchequer there had been some steps taken to improve the education in the schools generally; but why should we impose this obligation merely on one class of schools? If the subscriptions are low and the fees high, this clause will not apply; but if the subscriptions are high and the fees low, then additional obligations are to be imposed. Then my right hon. Friend the Member for Leeds proposes to insert the words "unless the Education Department certify that the expenditure is not necessary." But surely there is no case in which schools might not be improved by more money being spent upon them. The clause is good so far as it goes, but I cannot understand why it should be confined to cases where the subscriptions are high and fees low. Subscriptions may fall off, they are not permanent like endowments, and it is unreasonable to impose liabilities in the future on account of subscriptions in the past. I wish to see this limitation omitted in order that the obligation may be made general, and so make this great grant the means of improving the efficiency of the schools generally.

(11.45.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): The right hon. Baronet asks why the clause is limited to a particular class of schools. The reason is that it is in those schools, and those schools only, that there is a surplus. If the other schools were to have a surplus we would extend the clause to them. We must cut our coat according to our cloth, and not fritter away a surplus. The real question, therefore, is whether we are to fritter away the surplus and let it go back to the subscribers and in relief of rates because there are other schools that have not got a surplus. The words in the clause "to promote the efficiency of education" are too vague, and unless we specify such points as the improvement of the buildings, the increase of the staff, or the teaching of some additional specific subjects, it will be impossible to prevent the surplus from being applied eventually in relief of rates and subscriptions. I should prefer the clause of the hon. Member for East Somerset, because it gives specific directions. The great danger is that voluntary subscriptions will not be forthcoming in the future if the subscribers discover that the school managers are in possession of a large surplus, and therefore the money will go into the pockets of subscribers, unless we insist on a higher standard of efficiency.

(11.51.) SIR L. PLAYFAIR: I am quite willing to withdraw my Amendment in favour of that of the hon. Member for East Somerset; it seems to be more generally preferred than mine.

Motion and Clause, by leave, withdrawn.

*(11.53.) MR. HOBHOUSE: I move the new clause standing in my name.

New Clause—

(Appropriation of surplus on fee grant.)

"In the case of any school where the fee grant exceeds the amount received in fees during the school year ended last before the first day of January, one thousand eight hundred and ninety-one, an annual sum equal to such excess shall (unless the Education Department certify that such expenditure is not necessary or expedient), be expended by the school board or managers of such school in one or more of the ways following (that is to say): on rebuilding, enlargement, or improvement of the school buildings, the provision of school books, plant, and apparatus, the payment of additional staff or of special teachers for drawing, cookery, laundry work, science, drill, or manual instruction, or for any other proper educational purpose from time to time sanctioned by the Education Department,"—(*Mr. Hobhouse,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*Mr. BARTLEY: It seems to me there is some justification for this clause, because it will insure that the public will get some return in the form of increased school efficiency for the money which is to be expended out of the Exchequer. It will insure that at least some of the money is used to improve the education of the country.

*Mr. HENEAGE: I regret that the Government are not disposed to accept the clause. I understood on Wednesday that a clause of this kind would be viewed favourably by the Government. The only interpretation which I can put upon the speech of the First Lord of the Admiralty is that the Government oppose this proposal in order that the school managers may be able to appropriate the surplus for their own uses. That would be a shabby and unworthy policy, and I regret that it has not been repudiated by hon. Members opposite. Hitherto, I have supported the Government in every Division, but on this occasion I shall certainly vote against them. We desire that the money should be used to make our schools more efficient. Under the New Code drawing has been put down as one of the subjects to be taught, and the schoolmasters have been warned that if they do not qualify themselves to teach it in a given time their certificates will be withdrawn. Now, what better object could this money be devoted to than the teaching of drawing and cookery?

(11.55.) The Committee divided:—Ayes 96; Noes 120.—(Div. List, No. 324.)

(12.5.) Mr. BRUNNER: I beg to move that you, Sir, do report Progress, and ask leave to sit again. It is perfectly evident, from the state of the Paper, that if we go on with the idea of finishing the Bill we are in for a very long Sitting—and that with no idea on this side of the House of prolonging the discussion, but because the Amendments on the Paper will render it impossible to get through. The right hon. Gentleman the First Lord of the Treasury last night said he would move the suspension of the 12 o'clock Rule in order to enable the Bill to be disposed of, supposing that it would not occupy more than half an hour. Much more than half an hour will be required.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Brunner.*)

*Mr. W. H. SMITH: I should be very sorry to ask the Committee to sit to a late hour unless there is a reasonable hope of getting through to-night. There are several clauses on the Paper which I believe are out of order and cannot be discussed, and it may be convenient to make a little more progress. Then if there is no hope of finishing the Bill I will consent that Progress shall be reported.

Mr. MUNDELLA: We have all been in hopes that the Committee would be closed to-night, and I am greatly disappointed at the result. We lost two hours and a half in a Debate during which no Member on the other side uttered a word. Will the right hon. Gentleman say what new clauses he can accept? I would ask you, Mr. Courtney, also, what clauses are out of order?

(12.10.) The CHAIRMAN: The clause of the hon. Members for Preston (Mr. Tomlinson), the Ilkeston Division of Derbyshire (Sir W. Foster), East Northamptonshire (Mr. Channing), the Brightside Division of Sheffield (Mr. Mundella), South Glamorganshire (Mr. A. Williams), Northampton (Mr. Labouchere), are out of order.

Mr. SYDNEY BUXTON: I trust that, under the circumstances, the hon. Member will not persevere in his Motion. We all came here this afternoon for the purpose of finishing the Bill, as all hon. Members on this side will agree.

Motion, by leave, withdrawn.

Mr. T. ELLIS: I beg to move the clause standing in the name of my hon. Friend (Mr. Lloyd Morgan) as follows:—

"Except in schools under the control or management of a school board no fee grant shall be paid to any school of which at least one-sixth of the total expenditure is not met by voluntary contribution."

I do not think this proposal needs many words from me. If the right hon.

Gentleman in charge of the Bill believes there should be any local effort to meet these vast grants from the Imperial Exchequer, the least he can do is to accept this clause, more especially after rejecting, to the vast injury of education and of the Imperial Exchequer, the clause of my hon. Friend the Member for Somerset.

New Clause (Payment of Fee Grant,) —(*Mr. T. Ellis,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*Sir W. HART DYKE: I am afraid we cannot accept this clause.

Question put, and negatived.

(12.14.) Mr. A. DYKE ACLAND: I beg to move the following new clause:—

"The accounts of every school receiving a fee grant shall be audited by the district auditor in accordance with regulations to be made by the Local Government Board, and a certified copy of the accounts shall be sent within fourteen days after the conclusion of the audit to the local educational authority, who shall permit inspection thereof, and allow copies thereof to be taken at all reasonable times."

Our School Boards are placed under public audit, and I think that, as most of the money for voluntary schools will come from public sources, it is reasonable to place all these schools in the same position as the Board schools. I know it will be said that the audit is twice done, that is to say by the managers, who have a so-called audit of their own, and by the Inspector. I do not wish to say anything about the so-called auditor who audits the ordinary voluntary school accounts. As to the Inspector's audit, I can only say I have witnessed some which have not been of a very admirable character. In many rural districts the Inspectors have to drive some miles before they can reach the schools, and they really have not time to carry out a proper audit.

New Clause (Audit of accounts), (*Mr. A. Acland,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(12.16.) Sir W. HART DYKE: I think if there were any necessity for this proposal it would be quite fair to press it upon Her Majesty's Government; but I wish to point out what is the state of affairs with regard to the accounts of the voluntary schools. The Inspector has power to make the fullest inspection of all the school accounts. He can examine every possible item of account, and demand a voucher for each one. In the Code of 1890 a provision was inserted to the effect that there must be publication of the accounts. Besides that, there is an audit by the Education Department itself, and it often happens that different items are criticised by the Department. Hon. Members are aware that in certain cases these accounts are subject to deductions, and, with this object, they also come under the eye of the Auditor General. I think, therefore, it is unnecessary to adopt this clause.

Mr. BRUNNER: I trust the right hon. Gentleman will accept, if not the whole of this clause, at any rate the latter part of it. To my mind, it is a mockery to order the managers of a school to nail their accounts on the door. The great advantage of examining such accounts as these can only be obtained when the accounts of one year are compared with those of another year. If they are merely put on a door just before a shower, of what use are they? It very often happens that the ratepayers' lists are treated in this way, and they become entirely illegible. It would be a great advantage if the accounts of the schools were accessible to all the ratepayers, and not only to those who happen to go by the doors of the school during certain times of the year. When they are so difficult of access they are practically of no good at all. I hope my hon. Friend will press this Amendment, which is thoroughly reasonable.

(12.20.) The Committee divided:—Ayes 61; Noes 127.—(Div. List, No. 325.)

(12.33.) Viscount CRANBORNE: I propose to postpone until the Report stage the new clause of which I have given notice, giving power to the Education Department to pay the fee grant to a group of schools. I should like, how-

ever, to ask the right hon. Gentleman the First Lord of the Treasury whether he cannot hold out some hope to the large number of persons who are interested in these matters that between now and the Report stage he will consider this subject in a manner favourable to my view?

*Mr. W. H. SMITH: I will consider whether it will not be possible to bring forward a fair and reasonable proposal on the subject.

Mr. BRUNNER: I have now to move a new clause, which runs to the following effect:—

"In the matter of fees payable in any school in receipt of the fee grant no preference or advantage shall be given to any child and no disadvantage shall attach to any child on account of his belonging or not belonging to any religious denomination."

That, I think, is a proposal which appeals to the sense of fairness of every Member of this House who sympathises with the idea of religious equality.

New Clause (Equality of scholars,)—(*Mr. Brunner,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*Sir W. HART DYKE: I would point out to the hon. Member that there is no advantage given by this Bill to any child on account of the denomination to which it belongs, and I hope the hon. Gentleman will not persist in this Amendment.

*Mr. CHANNING: Would it not be much better to have the clause printed and brought up on the Report?

Mr. BRUNNER: I will ask leave to withdraw the clause for the present.

Motion and Clause, by leave, withdrawn.

Schedule agreed to.

Mr. MUNDELLA: May I ask the right hon. Gentleman the First Lord of the Treasury what is to be the further course in regard to the Bill, and on what day he will ask the House to take the Report?

*Mr. W. H. SMITH: We cannot take the Report before Tuesday; but we will put our Amendments on the Paper on Monday.

*Mr. TOMLINSON: Would it not be well to give a little more time to the electors throughout the country to consider the Bill?

*Mr. W. H. SMITH: I hope my hon. Friend will not desire to fight over again this battle.

*Mr. TOMLINSON: I do not want to fight the battle over again.

Bill reported; as amended, to be considered upon Tuesday next, and to be printed. [Bill 401.]

LOCAL GOVERNMENT (SCOTLAND) ACT (1889) AMENDMENT BILL.—(No. 359.)

Considered in Committee; Committee report Progress.

Bill withdrawn.

LAND LAW (WALES) BILL.—(No. 152.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTION.

INDUSTRIAL AND PROVIDENT SOCIETIES (LEASEHOLD ENFRANCHISEMENT) BILL.

On Motion of Mr. Channing, Bill to give facilities to Industrial and Provident Societies for the purchase of the fee simple of their holdings, ordered to be brought in by Mr. Channing, Mr. Lawson, Mr. Rowlands, Mr. Fraser Mackintosh, Mr. Octavius V. Morgan, Mr. Henry J. Wilson, Mr. Burt, Mr. Broadhurst, and Mr. John Wilson (Durham).

Bill presented, and read first time. [Bill 402.]

COMPANIES ACT (1862) AMENDMENT BILL.—(No. 146.)

Reported from the Select Committee; Special Report brought up, and read.

Report and Special Report to lie upon the Table, and to be printed. [No. 314.]

Minutes of Proceedings to be printed. [No. 314.]

House adjourned at ten minutes before One o'clock.

HOUSE OF LORDS,

Monday, 6th July, 1891.

VISIT OF THE GERMAN EMPEROR—VOLUNTEER REVIEW AT WIMBLEDON.

OBSERVATIONS.

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, a great many questions having been asked with regard to the arrangements made for the forthcoming Review as to tickets for Members of the House of Peers, I should like to make a short statement on the subject. There will be 150 tickets issued free to Members of the House of Lords; besides which there will be given to the Peers 250 10s. tickets up to 10 a.m. on Wednesday. If any of those tickets are not required by your Lordships they will then become available for Members of the House of Commons. Members of the House of Commons will have 350 10s. tickets issued to them, and if they are not required by Members of the House of Commons they will become available for Members of your Lordships' House. Applications for tickets will have to be made to the Lord Chancellor's office.

LORD DORCHESTER: With your Lordships' permission I rise to put a question of which I have given private notice to the noble Lord the Under Secretary of State for War. It reads as follows:—

"Whether on the occasion of the Volunteers' Review on Saturday next by His Imperial Majesty the Emperor of Germany, it is proposed to make any grants in the shape of marching money, or extra pay to the privates and non-commissioned officers of Volunteers, many of whom come from a distance and sacrifice the emolument of a day's employment."

I believe I shall be called to task upon this notice by, perhaps, the most competent authority in your Lordships' House upon Volunteer questions, in reference to pay for Volunteers; still, I submit to your Lordships that a Capitation Grant may, although perhaps faultily, be interpreted as pay. My notice raises the question whether men, many of whom are perhaps earning only 5s. to 10s. a day, though in some instances, of course, much more, should bear the whole of the expense to which they will be put. One case I may mention of an officer who told me that the Review would cause him a loss of £25, and there will be many distinguished advocates no doubt who would have been engaged on that day who will have to throw up their briefs, to the disadvantage of their clients, and the detriment of their own pockets. The question is, whether artisans, who in great numbers enter the Volunteer Force with patriotic feelings, are, without any allowance being made them, to sacrifice a, to them, considerable sum as their daily earnings by attending this Review, which will necessitate parading, as I am told, in many, indeed in most, instances very early in the morning at distant stations, a *trajet* of perhaps a quarter or half an hour to Wimbledon, and kicking their heels about Wimbledon Common for five hours. I cannot believe that Her Majesty's Government will allow so loyal and patriotic a body of men to waste their day without making them some kind of remuneration. The most powerful Military Sovereign perhaps in Europe, closely allied to the Royal Family, is at present in this country enjoying Her Majesty's hospitality. His great object has been, I am told, from the first to see our Volunteers. He knows what British soldiers are and what they have done, and how small a show, from their being scattered over the globe, we can make in comparison with the great military displays made by the forces at his own disposal; but he has never seen a body of men who come forward actuated solely by national and patriotic motives, who may not only be said to serve for nothing at all, but at a considerable cost to themselves, as do the Volunteers of this country. It would, I think, be a matter for very great regret if some of these corps were unable or disinclined to join in this Volunteer display on Saturday next on account of the cost to themselves and to their officers. One officer, who commands a very distinguished Volunteer Corps, has himself informed me that it will cost him from 2s. to 3s. per man on this occasion. From that, I need not tell your Lordships that a very heavy charge will be thrown upon the Colonels

commanding Volunteer corps. There are some corps, no doubt, whose members are well able to defray their own expenditure; but, on the other hand, there are others in which the men are not able to meet their own expenses, and who can, indeed, very ill afford the loss of a day's earnings that this Review will involve. Under the circumstances, I should hope that Her Majesty's Government would be inclined to pay any reasonable charges of the non-commissioned officers and men, and they would, I am sure, be cordially supported in doing so by the general feeling of the public throughout the country.

EARL WEMYSS: Before the noble Lord answers the question put to him by my noble Friend on my right I should like to say one or two words. My noble Friend has said that I intend to take him to task upon his question. Now, I should be very sorry to take my noble Friend to task for anything that comes from him relative to our Volunteers, for there is no better friend to our Auxiliary Forces, whether Reserves or Volunteers, than himself. He is always ready to do whatever he can in their interest, as he has shown this evening. But I think he means, by taking him to task on this occasion, that I do not agree with the wording of his question. I think they are calculated to lead to a misapprehension possibly on the part of His Imperial Majesty as to what our Volunteer Force really is. I would call your Lordships' attention to the two points of my noble Friend's question before giving any explanation. He refers, first, to the time of parade, which I must confess appears to me to be unnecessarily early. I should have thought that arrangements might be made by the War Office which would not necessitate the parade of the Volunteers until some time between 9 and 10 in the morning. It seems to me that a little organisation and effort, much less than would be required in time of war, would, in time of peace, enable these matters to be carried through more quickly, and take much of the burden and toil of the day off these men, who, without reward, give their time and services to——

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I am very sorry to interrupt my noble Friend, but I must point out to him that he is not in order. It is, I am told, an extraordinary irregularity to discuss a question of which only private notice has been given, and of which, of course, everybody was uninformed until the last moment. I am sorry to interrupt the noble Lord, but I think that is a point of order which should be decided.

EARL WEMYSS: I am in the hands of the House. A question has been asked to which I presume the noble Lord (Earl Brownlow) is going to give an answer, and a speech has been made by the mover of the question to which no objction was taken. Of course it is for the House to decide, and I will not go on if that is the opinion of the House, but I should not have thought it was out of order to make a suggestion on the subject, especially as time presses, for the Review is to be held on Saturday, only four days hence. I am quite certain if my noble Friend had not interfered, the House would not have objected. I should have been allowed to proceed, and until the House interferes I shall venture to do so. The point to which I take objection in the question of my noble Friend is that he talks of giving to the Volunteers some grant in the shape of marching-money or extra pay, that is to say, to the privates and non-commissioned officers, many of whom come from a distance. Now, there is no such thing as pay to privates or non-commissioned officers in the Volunteer Force, and this might lead to the belief that the men who go to Wimbledon are paid so much for their attendance. Nothing of the kind. The Parliamentary grant is not a grant to the individual members of the corps. It is not their pay, or any payment made to them at all. It is an allowance to the corps in proportion to their efficiency. They earn what is called the Capitation Grant, which goes into the regimental fund for regimental purposes, and not a penny of it goes into the pockets of the individual members of the corps. It is simply as an old Volunteer officer that I venture to take my noble Friend to task upon that point, while at the same time heartily supporting his object, which is that all regimental expenses should be taken off the shoulders both of officers and men, and that upon this occasion their fares should be paid. I think they should have an allowance—call it if you like marching-money or camp-allowance—to

meet their commissariat requirements; and my noble Friend has in my opinion done a great service in bringing this matter forward, only I wish his question had been worded otherwise. There is one other point to which I wish to call the noble Lord's attention. If there is one feature in the Volunteer Force more striking than another it is the batteries of position which were organised originally in Sussex by Mr. Derby, the Tithe Commissioner, the 40-pounder guns which are drawn by agricultural wain-horses and driven by teamsters in their smock frocks on foot. Anyone who has seen them must know the value of such batteries in case they should be required for national defence. Assuming those 40-pounders are, as they ought to be, relatively superior, according to their calibre, to the 16 or 12-pounders, no foreign army could bring guns into position that would not be annihilated by them. The fire of such guns ought to be able to crush the fire of any other guns that could be brought against them. I know from communication with the Authorities at the Horse Guards that they are of opinion there are great difficulties in the way; but if by any possibility those difficulties could be overcome, I am certain that the appearance of those batteries, which are unique of their kind—there is nothing like them in the world—as one of the main features in our Volunteer system, could not fail to create a very strong impression on the mind of His Imperial Majesty and his Staff. Perhaps the noble Lord might consider whether it is possible for this to be done; but failing its being done, I am still glad to have had the opportunity of calling attention at the present time to this valuable defensive Force.

EARL BROWNLOW: My Lords, in the question of which my noble Friend has given me private notice, I must say that the word "pay" in the draft he sent me this afternoon does not occur at all. I quite agree with the noble Earl on the Cross Benches that to give the Volunteer pay, even for that one day, would destroy the whole object of the Review. The object of the Review is to show His Imperial Majesty the Emperor of Germany a certain number of our great citizen Army, and that he should know when they appear on the ground that these are men who give their services voluntarily to the State and not for pay. At the same time it would obviously not be right that these men should be put to personal expense, or that their officers should be put to heavy expenses in order to attend this Review. The Secretary of State has considered the matter, and what he proposes to do is to give 1s. per man as a travelling allowance, and a further 1s. per man for food during the day. It is hoped this allowance will meet the requirements of the case, and that no serious expense will fall either upon the commanding officers or upon the men themselves. The question of the 40-pounder guns appearing at the Review is one of which I have had no notice. It is a new point, and one which I have not had time to consider; but I am informed that the Adjutant General has considered the matter, and he finds the difficulties in the way of having 40-pounder guns present so great that he is unable to manage it.

EARL WEMYSS: I am afraid the 1s. for travelling money will be hardly sufficient.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) BILL.—(No. 96.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD HERSCHELL: My Lords, owing to a decision of the Court of Appeal in Ireland, it is obvious that considerable modifications will be necessary in this Bill. The Attorney General for Ireland has been in communication with me upon the subject, and has promised to make some suggestions with the view of bringing the Bill into harmony with the decision, and to remove certain objections that there would be to it in its present form. Of course, in the circumstances, it is impossible to go on with the Bill now, and I will put off its consideration to any day that is convenient to the House. Until this day week would probably give sufficient time. I hope then to be in a position to go on with it.

THE MARQUESS OF WATERFORD: I am sorry the noble Lord has put off the discussion on this Bill to-night, because it will, I think, be rather inconvenient

to noble Lords who have attended in the House now to discuss it. I may say that I think my Amendments, if the noble and learned Lord would accept them, would entirely obviate the necessity of Amendments in other respects. My Amendments were proposed with the view of meeting the decision to which my noble and learned Friend has referred, and I really think, unless the noble and learned Lord is very clear as to the necessity of putting off this Bill, it would be much more convenient for us to take it to-night.

LORD HERSCHELL: I should be happy to oblige the noble Marquess, but it is obviously a matter which, to a considerable extent, is out of my hands. The Bill was supported by the Government in the other House, and they have communicated to me that it would be impossible for them to support it in its present form without modifications. If they were satisfied with the modifications proposed by the noble Marquess, no doubt I should be content; but they are more important persons to be satisfied than myself, and, of course, it is impossible to deal with the matter in the absence of some understanding with them.

Committee put off to Monday next.

MUNICIPAL REGISTRATION (DUBLIN AND BELFAST) BILL.—(No. 200.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE EARL OF ERNE: My Lords, this Bill to which I am asking your Lordships to give a Second Reading is a very simple one. It merely proposes to alter the dates for revising the burgess lists in the towns of Dublin and Belfast, so that the revision shall take place between the 18th September and 19th October in every year, instead of between the 10th October and 10th November, as at present. The reasons which make the change necessary are two. In the first place, the nomination papers are filled up from the old list, whereas the election must take place upon the new one, and, consequently, the present state of things is calculated to lead to difficulties and litigation. Moreover, both in Dublin and Belfast, if any appeal is taken from the decision of the Revising Barrister, there will be no time for it to be heard. My noble Friend the Lord Privy Seal has authorised me to say that the Government offer no objection to the Bill, and I ask your Lordships to read it a second time.

Bill read 2ª (according to Order), and committed to a Committee of the Whole House to-morrow.

ALLOTMENTS RATING EXEMPTION BILL.—(No. 184.)

House in Committee (according to order): Bill reported without amendment; and re-committed to the Standing Committee.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 207.)

Read 3ª (according to order), with the amendments; a further amendment made; Bill passed and returned to the Commons.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Colville of Culross to the Standing Committee for the consideration of the Forged Transfers (No. 2.) Bill. Read, and ordered to lie on the Table.

House adjourned at a quarter before Five o'clock, till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 6th July, 1891.

QUESTIONS.

THE INDIAN TROOPSHIP SQUADRON.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether there is any foundation for the statement which appeared in the *Times* of the 19th June—

"That the Admiralty contemplated handing over the management of the Indian Troopship Squadron to the Orient Steam Shipping Company;"

if so, will he state the terms of the arrangement; whether he is aware that

these vessels occupy (upon an average) 30 days on the outward passage to Bombay, being 10 days longer than that of merchant passenger steamers, besides consuming more fuel per day than similar modern merchantmen; and whether it is intended that these ships shall be fitted with more powerful and economical machinery?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): In reply to the question of the hon. Member, I have to say that there is no truth in the statement.

MR. E. D. YOUNG, R.N.

MR. H. S. WRIGHT (Nottingham, S.): I beg to ask the First Lord of the Admiralty whether his attention has been called to a letter which appeared in the *Army and Navy Gazette* of the 30th May, recounting the services of Mr. E. D. Young, R.N., in African exploration, in connection with the late Dr. Livingstone; whether it is a fact that this officer will very shortly be retired, in the ordinary course, from the post he has held since 1877, as Inspecting Officer of Coastguard at Dungeness, when he will have no rank but that of a gunner in the Royal Navy; and whether he will consider the question of promoting Mr. Young, so that he may be retired as a Lieutenant, and so receive the equivalent retiring allowance?

LORD G. HAMILTON: Mr. Young has been retired from the Coastguard on account of age, and as his services as a divisional officer do not qualify him under the Regulations in force for receiving commissioned rank on retirement, the Admiralty propose to specially memorialise the Queen in Council to confer upon him the honorary rank of Lieutenant. This honorary rank will not, however, carry with it any increase of pension. Mr. Young has been granted the full pension to which he is entitled as a gunner in the Navy, and this is the utmost the Admiralty have it in their power to give; but as Mr. Young has undoubtedly performed meritorious services in connection with certain exploration expeditions in Africa, I am in communication with other Departments with the view of ascertaining whether any special recognition of these services is possible.

THE SHENSTONE SCHOOL.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the evidence given in the inquest on the body of James Harry Russell, aged eight years and nine months, in which it was stated that the lad had been hit about the head with a strap and a stick by the schoolmaster of the Shenstone School, near Lichfield; and whether it is the intention of the Education Department to take any action in reference to this matter?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Subsequent to the verdict of the jury, the evidence in the case was submitted to the Director of Public Prosecutions, and I have authority for stating that it did not appear, upon a consideration of the medical testimony, that there was sufficient to justify criminal proceedings against the schoolmaster. In these circumstances, the hon. Member will see the difficulty in the way of the Department taking any action in the matter?

*SIR J. SWINBURNE: May I ask what remedy the parents have against gross abuses of this character, when the school managers refuse to take action in the matter, and still continue to retain this man as head master? Is the right hon. Gentleman aware that the parents are sending their children to a school three miles off in order to avoid Shenstone?

SIR W. HART DYKE: No, Sir; I am not aware of the extraneous circumstances mentioned by the hon. Gentleman. If the hon. Gentleman desires further information, and will give notice, I will make inquiry.

SEVERE SENTENCES ON JUVENILE OFFENDERS.

MR. WINTERBOTHAM (Gloucester, Cirencester): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the sentence passed by the Pershore Magistrates on three lads, of 12, 13, and 14, for a first offence of larceny, of 10 days in Worcester Gaol, to be followed by four to five years in a reformatory;

whether he has noticed, in particular, the evidence of Police Superintendent Moore, who owned that "he listened outside the cell" to the conversation between the boys immediately their legal adviser had visited them; further, that he endeavoured to influence the Magistrates at the close of the evidence, by stating that "he was afraid this was not the only robbery they had been connected with," but without producing, or offering to produce, one tittle of evidence in support of such statement; and what action he proposes to take with reference to this case?

MR. COBB (Warwick, S.E., Rugby): I beg also to ask the Secretary of State for the Home Department whether he will make inquiries as to the case of three boys, William Hall, aged 14, Ernest Hall, aged 12, and Ernest Latty, aged 13, the sons of respectable tradesmen of Pershore, who were, on 16th June, sentenced by the Pershore Bench to 10 days' imprisonment, and afterwards to be removed to a reformatory for four and five years respectively, for having stolen 16s. 6d. from a shop, William Hall and Latty pleading "not guilty," and Ernest Hall pleading "guilty;" whether, in each case, it was the first offence; whether his attention has been drawn to the fact that there was only the slightest evidence given of William Hall having been, after the theft, indirectly connected with it, and no evidence whatever against Latty, and that it appears from the report in the local papers that upon the conclusion of the evidence for the defence, and before the Magistrates had retired to consider their decision, or had expressed any opinion on the case, the Magistrate's clerk said it was the intention of the Magistrates to send the boys to a reformatory, and then expressed his opinion as to their guilt; whether he is aware that the parents of the boys are not in a position to afford to appeal against the sentences; whether he is aware that great dissatisfaction exists among the tradesmen and inhabitants of Pershore as to the manner in which justice is administered on the Pershore Bench; and whether he will cause a thorough inquiry to be made into the cases of the three boys with a view of remitting, as to some or all of them, the sentences passed upon them?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I learn from a newspaper report that a police-sergeant overheard the boys, who were in separate cells, shouting to each other, and that he heard the conversation from the door of his room. This same police-officer also stated the result of his inquiries as to the characters of the boys in Court. The boys had not been previously convicted, but I am informed by the Justices that it appeared, from inquiries made by the police while the boys were under remand, that all three of them had been discovered perpetrating acts of theft on several previous occasions, and the artful character of the present robbery showed that the boys were not novices in crime. The evidence conclusively proved, in the opinion of the Justices, that all three defendants were guilty, Latty and Ernest Hall as principals, and William Hall as an accessory. The clerk to the Justices expressed no opinion as to the guilt of the boys, but after the Justices had jointly expressed their opinion he was directed by them to inform the parents, and to invite them to say anything they wished in behalf of the boys. I am not aware whether or no the parents are in a position to appeal, but both they and the boys expressed their desire that the case should be dealt with summarily. The father of the boys Hall expresses himself as quite in accord with the conviction and sentence, and believes it to be the best that could be done for the boys. The allegation that there is any dissatisfaction in Pershore with the manner in which justice is administered is emphatically denied; and I am informed that there is a unanimous opinion, especially among the tradesmen who have been pilfered, that the boys were properly dealt with, and that there was no alternative but to send them to a reformatory. The circumstances as reported to me do not disclose any reasons for advising interference with the sentences.

MR. COBB: Was there any evidence of any description against the boy Latty? Was there any evidence given by the police as to the result of their inquiry?

MR. MATTHEWS: I believe there was some evidence.

ESQUIMALT HARBOUR.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the First Lord of the Admiralty whether compensation has been paid by the Admiralty to the owner of a foreign vessel in consequence of the British Admiral forcibly removing such vessel in Esquimalt Harbour last year to make room for a British man of war; what were the circumstances of the case; and whether the powers and authority of a British Admiral in command of Her Majesty's ships are, as regards such matters, in any way more restricted in Esquimalt Harbour than in the Naval ports of the United Kingdom; and, if so, by what circumstances, and for what reasons?

LORD G. HAMILTON: The sum of £82 4s. 5d. was paid to the owners of the *J. H. Hustede* through the Canadian Government. Admiral Heneage having caused the vessel in question to be removed outside the usual man-of-war anchorage, it was subsequently discovered that the Commander-in-Chief had not the control he ought to have over the man-of-war anchorage in Constance Cove. The Admiralty have now obtained from the Dominion Government the necessary legal powers to reserve the anchorage for the use of Her Majesty's ships.

CRETE.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any recent information as to the condition of the Island of Crete; and, if not, when he is likely to be able to do so?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The most recent Reports of the condition of Crete show that there are no insurrectionary bands on the Island, and that nearly all the outlaws who had landed in the Island from Greece have returned to that country. I regret to say that murders are still of frequent occurrence, the perpetrators being sometimes Mussulmans and at others Christians. When murders are committed, owing to the difficulty in discovering the murderers, a number of individuals, who think they may be suspected and imprisoned, take to the mountains, until an inquiry has proved their innocence, or they find an opportunity of leaving the Island to avoid punishment. These individuals are a source of danger to the tranquillity of the country. Murders have lately been committed by soldiers and gendarmes, and owing to the great conflict of testimony it is generally difficult to determine what amount of provocation, if any, they may have received. Further Papers will be prepared.

SALE OF NEWSPAPERS ON SUNDAY.

MR. COBB: I beg to ask the Secretary of State for the Home Department whether he is aware that last Tuesday week, at Bristol, at the County Sessions, Lydia Harvey, a widow, was summoned under the Statute of Charles II., at the instance of the Horfield Local Board, for selling newspapers on Sunday, and was fined 2s. 6d.; whether the prosecution was instituted in compliance with the provisions of the 34 & 35 Vic., c. 87; and, if so, what chief officer of police or Justices of the Peace gave the necessary consent in writing; whether it falls within the powers of a Local Board to initiate or suggest such a prosecution; and whether, as the Act of Charles II., so far as it relates to the sale of newspapers, has by universal custom become obsolete, he will direct that the fine be remitted?

MR. MATTHEWS: I am informed by the Local Board that the information was laid by the superintendent of police in consequence of the complaints of the Local Board, and in compliance with the provisions of 34 & 35 Vic., c. 87, the consent in writing being given by two Justices of the Peace. I am not aware of any reason why a Local Board should not call the attention of the Police Authorities to any alleged infraction of the law. I feel, as the Magistrates appear to have felt, that, although I regret this prosecution and its result, I should go beyond my duty if I were practically to declare that the provisions of the Act in question are to have no effect, especially where a Local Representative Body and Local Magistrates have supported their application.

MR. COBB: May I ask the First Lord of the Treasury whether the Government will include this Act of Charles II. in the Schedule of Acts to be repealed by the Statute Law Revision Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): It is not for me to answer. It is the duty of the Statute Law Revision Committee to examine the Statutes and ascertain which of them are perfectly obsolete.

THE WIMBLEDON REVIEW.

MR. BOULNOIS (Marylebone, E.): I beg to ask the Secretary of State for War whether arrangements will be made for Members of Parliament and their wives to witness the Military Review which is to he held in honour of the German Emperor on Wimbledon Common on the 11th instant; and whether any provision will be made for the public upon the occasion?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The space on the stand will be exceedingly small; but a certain number of seats will be reserved for Members of the House and their wives, and tickets will be sent to the Speaker, who will distribute them. A certain number of tickets will also be reserved for sale to the public.

THE VIENNA POSTAL UNION CONVENTION.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he is now in a position to state briefly the concessions gained to the public, and the reforms instituted, at the Vienna Postal Union Convention?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The British Delegates at the Vienna Postal Congress are now on their way home, and I expect to receive their Report in the course of next week. I shall be very glad to give the House full information on the subject as soon as I am in a position to do so.

EXPULSION FROM DENMARK OF MR. PATERNOSTER.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Under Secretary of State for Foreign Affairs on what grounds Mr. Arthur Paternoster, a British subject, was expelled from Denmark on June 27th last; why before expulsion he was not allowed to lay his case before the British Consul; and what action the Foreign Office propose to take in the matter?

SIR J. FERGUSSON: The individual named is reported by Her Majesty's Minister to have been arrested and expelled from Denmark under the provisions of Section 13 of the Danish Law relative to foreigners and travellers of May 15, 1875; he has also been served with an injunction prohibiting him from re-entering Danish territory. Mr. Macdonell states that the law in question is sufficiently clear, and that the case had not been brought to his notice by the Seamen's Union, which this person had organised in Denmark, or by anyone else. As the proceedings taken are reported to have been in accordance with the law of the country, Her Majesty's Government do not propose to take any action in regard to them.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I wish to ask, just for the sake of that obsolete thing, British honour, whether the right hon. Gentleman knows that Mr. Paternoster was detained by the Danish authorities for five days without trial?

SIR J. FERGUSSON: I know nothing of the details.

MR. C. GRAHAM: Exactly; I am only sorry for British honour.

CORWEN.

MR. T. ELLIS (Merionethshire): I beg to ask the President of the Local Government Board whether he is aware that, in view of the sanitary defects of the town of Corwen, and in deference to the view of the majority of the inhabitants, the County Council of Merioneth on the 6th of August, 1890, after full local inquiry, unanimously ordered the conversion of the township of Corwen into an urban district, but that the Local Government Board, in refusing to sanction the Order of the County Council, pointed out to the Rural Sanitary Authority its persistent neglect of the recommendations contained in the Report of Dr. Parsons, an officer of the Local Government Board, upon the state of the town in 1882; whether anything has yet been done to remedy the sanitary defects, and to divert the brook as pointed out by the Inspectors; whether he is aware that typhoid fever recently attacked the inmates of the workhouse situate in the

centre of the town, that there was recently an outbreak of measles, and that scarlet fever is now prevalent in the town; that the Rural Sanitary Authority declined to adopt the Infectious Diseases Notification Act, though pressed by their medical officer to do so; and that at a meeting of this authority on 19th June, 1891, the Inspector of the Local Government Board reported that there were as dirty and crowded places in Corwen as he had seen anywhere; and whether the Local Government Board will forthwith confirm the Order of the County Council directing the formation of a Local Board of Health for Corwen?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): An Order was made by the County Council of Merioneth constituting the township of Corwen an urban sanitary district. This Order was appealed against, and in consequence an inquiry was held by an Inspector of the Local Government Board. The district which it was proposed to constitute has a population of less than 1,300 persons, and an annual rateable value under £3,500. The Local Government Board were clearly of opinion, under the circumstances, that the most satisfactory arrangement with regard to the district would be that the Rural Sanitary Authority should energetically exercise the powers which they possess rather than that a new authority should be set up. The Inspector of the district consequently had an interview with the authority, and I have since been informed that an important sewer has been constructed, and that connections are now nearly or quite completed; a branch sewer is about to be commenced, and the Directors of the Water Company are on the point of constructing a new reservoir. Nothing has as yet been done as to the brook, and the question whether the work should be undertaken at the expense of the rates, instead of at the cost of those primarily benefited by it, is one on which there is some difference of opinion. As regards typhoid fever, a single case appeared at the workhouse, and the disease did not spread. I am also informed that there have been a few cases of scarlet fever, but no important outbreak. The Sanitary Authority have not adopted the Infectious Diseases Notification Act. The Inspector of the Board attended a recent meeting, and directed the attention of the authority to a dirty locality in Corwen, but found that the Sanitary Authority were already taking steps to construct a branch sewer for the purpose of improving the place. It would be only under very exceptional circumstances that the Board would be prepared to assent to the constitution as a Local Board district of a district with only 1,300 inhabitants, and at present it is not my intention to confirm the Order unless the Rural Sanitary Authority show that they are not prepared to discharge their duty.

PLEURO-PNEUMONIA.

MR. BARCLAY (Forfarshire): I beg to ask the President of the Board of Agriculture whether his attention has been directed to the prosecution of Thomas Sumner, at the Wigan County Police Court, about a fortnight ago, for failure to report a case of pleuro-pneumonia, when the penalty inflicted was a fine of 20s. and costs; and whether, in view of the large sums now being spent in trying to eradicate the disease, he will consider what steps, if any, can be taken to deter owners from concealing outbreaks of disease?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Yes, Sir; my attention has been called to the case of Thomas Sumner in the Wigan County Police Court, and the facts are as stated in the question. So long as pleuro-pneumonia is concealed it adds greatly to the difficulty of attaining satisfactory results from the large sums now being expended in the endeavour to stamp it out. I hope that in future, when the offence is proved, Magistrates may support the Board more effectively than they have done in this case; otherwise the Board will probably be compelled to exercise their powers of withholding compensation, either partially or wholly, for animals slaughtered by their orders in cases where the owners have been guilty of an offence against the Act.

ITALY AND GREAT BRITAIN.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether, from

the official statement that there is an existing understanding between this country and Italy, he will inform the House what is the precise nature of this existing understanding and to what Foreign Governments it has been communicated?

SIR J. FERGUSSON: The "understanding" referred to is the cause of the communications which have been frequently mentioned as expressing the common object of maintaining the *status quo* in the Mediterranean, a principle which Her Majesty's Government, by declaring in Parliament, have publicly avowed.

VOLUNTARY SCHOOLS.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether, when voluntary schools to which building grants have been made have been closed, and the school premises sold with the consent of the Education Department, the building grants or any part thereof have been repaid to the Treasury?

SIR W. HART DYKE: It is the practice of the Department not to advise the Home Secretary to give his consent to any sale without requiring that such proportion of the proceeds of the sale shall be repaid as the grant bore to the original cost of the buildings, or that the money be placed in the hands of the Charity Commissioners to be dealt with as nearly as possible within the terms of the trust for educational purposes.

THE CASE OF S. W. CLOETE.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Secretary of State for the Home Department if he has observed the proceedings in the Central Criminal Court in the case of S. W. Cloete, who was charged with obtaining £16,000 by false pretences in connection with company promoting; that, after a long and careful inquiry, the accused was committed for trial, but the parties have now come to terms, it being stated in Court by the Counsel for the parties that

"The friends of the accused had undertaken to follow a course which would recompense Mrs. Page to some extent for her losses,"

and that

"Everything would be done to make full amends to Mrs. Page,"

upon which the prosecution was withdrawn; and whether, in the public interest, the Public Prosecutor takes any part in such cases where, under the English system of private prosecution, the Criminal Law is used till cases are compounded and the prosecutions are then withdrawn?

MR. MATTHEWS: Yes, Sir; my attention has been called to this matter. I understand that, as there were serious legal difficulties in the way of establishing a criminal offence against the accused, application was made to the Court for leave to withdraw from the prosecution, and that the learned Recorder stated in Court that, having read the depositions, he concurred in the application. I also gather from a newspaper report that it was said that everything would be done to recompense the prosecutrix for the losses she had sustained. The Public Prosecutor had declined to conduct the prosecution. The regulations under which the Public Prosecutor acts enable him to intervene and take up prosecutions before a Justice or Police Court which are improperly withdrawn. He does not intervene where a Superior Court sanctions the withdrawal.

SIR G. CAMPBELL: I beg to give notice that I will call attention to the utter futility of the so-called system of Public Prosecution.

IMPRISONMENT AT VALPARAISO.

MR. LEVESON GOWER: I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been directed to the reported imprisonment of a clerk at the British Consulate at Valparaiso, by order of President Balmaceda, on the charge of complicity in the attempted escape of the torpedo launch *Guale;* and whether, in the event of this report proving correct, they will take measures to procure his release?

SIR J. FERGUSSON: At present we have received no information on this subject, and it must be presumed that Her Majesty's Minister at Santiago has not found it necessary to refer the matter to Her Majesty's Government. But he has been requested by telegraph to report.

LIFE ASSURANCE COMPANIES.

MR. HUNTER (Aberdeen, N.): I beg to ask the President of the Board of Trade when the accounts of the Life Assurance Companies deposited with the Board of Trade, under "The Life Assurance Companies Act, 1870," for the year ending 31st December, 1890, will be published; and whether, considering that the corresponding volume last year was not published before the end of April, greater expedition in the publication of these volumes would be obtained?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Return referred to by the hon. Member will be presented next week. The delay has arisen mainly through the death of the actuary, but the Return will be presented earlier next year.

MR. DE COBAIN.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the First Lord of the Treasury if he can state how the case of the Member for East Belfast now stands; and whether any Motion affecting Mr. de Cobain will be made during the present Session; and, if so, when?

*MR. W. H. SMITH: I have stated that in the view of the Government it was necessary to take all possible precautions, so that none of the privileges of hon. Members should be prejudiced. Information, however, has been obtained relating to this case, which will be laid on the Table of the House by the Attorney General for Ireland. On Monday next I propose to move that Mr. de Cobain be ordered to attend in his place on Thursday, July 23.

EMIGRATION FROM SCOTLAND.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the First Lord of the Treasury whether, having regard to the fact that the Government have signified their willingness to advance £150,000 to the Government of British Columbia to promote emigration from the Highlands of Scotland, on the ground that it is one of the recommendations of the Select Committee on Colonisation, they propose to give a like or any other sum for the purpose of promoting migration in the Highlands, which proposal is also a recommendation of the same Committee; and, if not, on what principle they distinguish between the various recommendations of the Committee?

*MR. W. H. SMITH: I would point out to the hon. Member that the Colonisation Committee only suggested migration "where suitable," and they did not recommend that any action should be taken by Her Majesty's Government for this purpose. On the contrary, they stated that they were "unable to recommend any large scheme of migration," and the general tenour of their Report is not such as to encourage any experiment of the kind being undertaken by the Government. In these circumstances, the Government would not feel justified in asking Parliament to vote any money for this purpose.

MR. ANGUS SUTHERLAND: When will the Bill dealing with this matter, which the Chancellor of the Exchequer referred to the other day, be brought on?

*MR. W. H. SMITH: I am unable to say.

THE WIMBLEDON VOLUNTEER REVIEW.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the First Lord of the Treasury whether, having regard to the appeal made by the Secretary of State for War to the public spirit of employers to allow Volunteers under them absence for the whole day on Saturday next, the Government intend to set the example by issuing a Treasury Order that all Civil servants or writers in Government Departments serving in Metropolitan Volunteer Corps are to be allowed a whole day's leave without loss of pay, or its being reckoned towards annual leave, or being required to make it up by overtime?

*MR. W. H. SMITH: I am afraid it is impossible for the Government to give a general order to Heads of Departments in the sense desired by the hon. Member, because such Heads of Departments are alone in a position to judge whether the needs of the Public Service will in each case admit of such a concession. But I propose to direct the issue of a Circular from the Treasury expressing the hope that Heads of Departments will, as far as

public business permits, give facilities to such clerks and copyists as are serving in the Metropolitan Volunteer Corps which are ordered to take part in the proposed Review on Saturday next in order that they may be able to attend.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Secretary of State for War whether there is any sufficient reason, and if so what, why the Review to take place before the German Emperor on Saturday next should not be held in Hyde Park, instead of at Wimbledon, so as to allow the Volunteers to assemble in large numbers without loss of either time or wages?

MR. E. STANHOPE: The review of 20,000 men in Hyde Park, if possible, would certainly involve such injury to the park and to the gardens that I cannot think that the proposal would be entertained.

SIR H. HAVELOCK-ALLAN: Is it not the case that on the last occasion 24,000 men were reviewed there, without damage; and still larger numbers—30,000—on a previous occasion?

MR. E. STANHOPE: That is perfectly true.

THE STATUTE LAW REVISION BILL.

MR. H. H. FOWLER (Wolverhampton, E.): I wish to ask the First Lord of the Treasury what are the intentions of the Government with respect to the Statute Law Revision Bill?

*MR. W. H. SMITH: I thank the right hon. Gentleman for having mentioned this Bill, and for the course which he has thought it right to pursue with regard to it. I am perfectly at liberty to add that if he is willing, on behalf of those who agree with him, that the compromise which I suggested on Thursday last should be adopted, the Government will proceed with the Bill. The right hon. Gentleman was fully justified in objecting as he did to the Second Reading; for, although it is prepared by a body of public servants who give their time gratuitously to the task of Statute Law revision, still it is the duty of the House to watch with extreme jealousy any measure of this kind which they believe interferes with the living law. I propose to take the Second Reading this evening if the Bill is not opposed, and on the understanding that two of the measures included in the Schedule of the Bill—5 & 6 Vict.—shall be removed from that Schedule. The Bill will then be examined by a Select Committee, and I hope will be passed into law in the present Session. I shall ask the House to appoint a Committee, in concurrence with the House of Lords, to examine into the whole question of Statute Law revision early next Session.

MR. HOWELL (Bethnal Green, N.E.): What is the principle of revision to be observed in the Bill?

*MR. W. H. SMITH: The principle is not to go down below the 5 & 6 Vict.

MR. HOWELL: Is it not the fact that that has been done already?

*MR. W. H. SMITH: It does not follow that it is always right to continue doing what has once been done.

MR. HOWELL: Then I shall oppose the Bill.

*MR. W. H. SMITH: I wish the hon. Member to understand that he will be responsible for the loss of the Bill, because the Government will not proceed with it if there is any opposition.

THE ABDUCTION OF AN ENGLISH GIRL IN PERSIA.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any further information about the prospect of obtaining the release of Kate Greenfield; and whether there is any chance of the British Consul obtaining an interview with the girl in order to find out what are her real wishes?

SIR J. FERGUSSON: The latest accounts received state that the Persian authorities have collected forces to disperse the bands of turbulent Kurds, who are mostly Turkish. Her Majesty's Government meanwhile are doing their best at Constantinople to induce the Porte not to object.

MESSAGE FROM THE LORDS.

That they have agreed to Mail Ships Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to carry into effect an International Declaration respecting the North Sea Fisheries, and to amend the Law relating to Sea Fisheries and Salmon and Freshwater Fisheries." [Fisheries Bill [Lords.]

POOR RATES (SCOTLAND) PERSONS ASSESSED.

Order [8th August, 1890] for Return relative thereto read, and discharged; and, instead thereof—

Return ordered, "showing, for each Parish in Scotland, the number of Persons Assessed for the Poor Rates for the year 1890-91, in the following form:—

County_____ Parish_____

Number of Persons (that is, Occupiers, whether Owners or Tenants) paying Rental as per Valuation Roll.	(1) Dwelling Houses.			(2) Farms.			(3) All other Assessable Property.		
	Number of Persons Assessed.	Gross Rental as per Valuation Roll.	Nett or Poor Law Rental.	Number of Persons Assessed.	Gross Rental as per Valuation Roll.	Nett or Poor Law Rental.	Number of Persons Assessed.	Gross Rental as per Valuation Roll.	Nett or Poor Law Rental.
Not exceeding £4									
Exceeding £4 and not exceeding £10									
„ £10 „ £15									
„ £15 „ £20									
„ £20 „ £30									
„ £30 „ £40									
„ £40 „ £50									
„ £50 „ £60									
„ £60 „ £70									
„ £70 „ £80									
„ £80 „ £90									
„ £90 „ £100									
„ £100 „ £200									
„ £200 „ £300									
„ £300 „ £400									
„ £400 „ £500									
„ £500									
Total for Parish ..									

—(*Mr. Hunter.*)

RATING OF SCHOOLS BILL.—(No. 74.)

Order for Second Reading read, and discharged.

Bill withdrawn.

JUDICATURE ACTS AMENDMENT BILL [LORDS].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 403.]

ORDERS OF THE DAY.

REDEMPTION OF RENT (IRELAND) BILL.—(No. 377.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

(3.45.) MR. MACARTNEY (Antrim, S.): I regret that my right hon. Friend has not thought it desirable to state the reasons for this Bill, because I regard it as a gross violation of all the principles on which my right hon. Friend holds his position upon that Bench. It is, therefore, impossible that I can allow the Second Reading to pass without a protest against it. In 1871 the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) laid down the lines upon which the redemption of rent was to proceed, and the first attack upon them took place in 1887 under the present Government, who introduced a clause enabling a leaseholder in perpetuity to obtain a fee farm grant. No reason whatever is alleged in justification for the present measure. The tenants have made a fair and reasonable bargain for themselves, and the landlords have not insisted upon anything approaching what may be termed landlord tyranny in Ireland. Nor are the provisions of the present Bill the same as the clauses introduced into the Act of 1890 and the Land Department Bill of the present Session. Those clauses were confined to long leaseholders, whereas the present measure applies to fee farm grants. I take it that a leasehold of 999 years differs essentially from a fee farm grant. My right hon. Friend now proposes to break up that which is the absolute sale of a freehold interest between a vendor and a purchaser. It is not a contract for letting between landlord and tenant, but the absolute sale of the lease, and that is what my right hon. Friend is now seeking to do. Subject to the payment of rent, it is a conveyance of the fee simple of the land of the grantee. The Bill itself makes the expression "fee simple" cover all the land held on fee farm grant. Therefore, I take it that it conveys everything subject only to the rent. I certainly think that those who are interested in this kind of property are entitled to know from Her Majesty's Government what are their reasons for changing the policy which has been hitherto pursued by all Governments in regard to this particular kind of property. In 1887 there might have been a reason for alleging the unfair and inequitable treatment of the owners of short leases, but the owners of long leases were in an entirely different position. The class of tenants who will be affected by this Bill are, with the exception of about 2 per cent., under £50 valuation. For years they have been placed in a position which caused them to be envied by every other class of tenants in Ireland, and I cannot understand why, in regard to them, my right hon. Friend should introduce the principle of compulsory purchase. Under this Bill the landlords, if they go to the Land Courts, would have only one reasonable alternative practically offered to them, namely, to sell their property to their tenants. I do not desire to detain the House at any length, but I wish to state as concisely as I can my objections to this special class of legislation. I am aware that I shall probably not receive much support, and therefore I will not put the House to the trouble of a Division on the Second Reading, but I hope to hear the reasons why the Government have now, at the eleventh hour, turned round and altered the policy hitherto pursued in regard to this class of property. I object to this kind of legislation, which will still further weaken the integrity of contracts in Ireland; and I protest against it as a violation of the rights of property, and of all the principles on which the Government have arrived at their seats upon that Bench.

(4.0.) MR. SEXTON (Belfast, W.): The hon. Member opposite has been much more prudent in his action than in his speech, and he has wisely abstained from taking advantage of his right to divide the House. If he had adopted that course he would probably find himself telling an empty Lobby, for I doubt whether a single Member would have followed him. Personally, I so far differ from the views of the hon. Member that I am of opinion that this Bill is far from exceeding the demands of justice. On the contrary, it does much less than justice to the Irish tenants. What is the difference between the Irish tenants dealt with by this Bill and the Irish tenants admitted to a fair rent by the Land Courts four years ago? Practically there is no difference at all, and the hardship is greater upon the tenants still remaining than it was upon those who were dealt with four years ago. In old times, when the will of the

landlord was paramount, the tenants consented to take farms on the landlords' terms, in order to escape an increase of rent and eviction eventually. They paid a heavy fine, and they secured no reduction of rent in consequence of receiving these fee-simple grants. Unless this Bill passes, those tenants will have to go on paying the old heavy rents, while their neighbours have received some amount of justice. On what principle of fairness should the right to go into Court for a fair rent be given to a tenant with a 99 years' lease, and refused to another tenant who has a longer lease? There is, I repeat, no conceivable difference between the tenants dealt with by the law and those I refer to, except that the case of the latter is much harder. The hon. Member for South Antrim (Mr. Macartney) speaks of a legal position, but what is this House for but to amend a legal position when it is shown to be inequitable. It is because the Chief Secretary is convinced of the hardship of the position and the equity of the claim that he proposes to amend the law. If the hon. Member took the view which generally prevails in this House as to the duties and responsibilities of landlords towards their tenants he is one of the last men who should raise an opposition to this Bill, for on the estate of his father the fee farm rents are so exorbitant as to destroy not only the fee farm interest but even the tenant right of the tenants.

MR. MACARTNEY: The only fee farm grant sold by my father was sold for 30 years' purchase.

MR. SEXTON: The hon. Member's father became the owner of the estate to which I refer in 1866.

MR. MACARTNEY: No.

MR. SEXTON: In 1866, or about that time, and he at once increased the rents; in some cases doubling them. In 1878 he told the tenants he was about to sell the estate, and he advised them to take perpetuity grants. He did not, however, sell the estate, but he holds it now. The hon. Member talks about the fee simple, but these tenants are prohibited from laying down corn beyond such proportion as may be fixed by the landlord, and if they disobey this injunction they are liable to pay a fine of £1 a year for every acre laid down in corn.

MR. MACARTNEY: That is an ordinary provision.

MR. SEXTON: But what benefit do the tenants derive from having, as the hon. Member says, the fee simple? I have said that when Mr. Ellison Macartney became the owner of this estate he increased the rents upon seven out of 12 farms by sums ranging from £7 to £38 a year. In one case the Poor Law valuation was £22 10s.; the old rent was £23, and the new rent, under a grant which the hon. Member says gives the tenant the fee simple, is £63. In another case the Poor Law valuation is £7; the old rent £15, and the new rent £20. In a third case the Poor Law valuation is £8 10s.; the old rent £16, and the new rent £35. In another case the Poor Law valuation is £39; the old rent was £39, and the new rent is £78, or exactly double. The hon. Member is quite right in taking his own course; but if he does so he must take the consequences, both in regard to his father's tenants and other tenants in Ireland. Tenants paying such heavy and unjust rents, no matter what the form of contract may be, are entitled to the interference and protection of the Land Court. The Bill is an extremely moderate one, and really does less than justice. It is only where men are in a certain position of hardship, and landlords will not sell at all, that the tenants will be able to go into Court and have a fair rent fixed. I admit that the position of the right hon. Gentleman the Chief Secretary will not always permit him to go as far as circumstances demand, or as he perhaps wishes but as we cannot obtain full and complete justice for Ireland in the matter we must be content for the time with what is practicable.

(4.10.) MR. T. W. RUSSELL (Tyrone, S.): I do not propose to discuss this Bill at any length, nor in reference to any particular estate, but I desire to say that there has never been introduced a more just and equitable measure than the Bill which has been introduced by the Government to-day. I agree with the remark of the hon. Member for South Antrim, that the proper time when the tenants in question ought to have been dealt with was when the Act of 1887 was passed, and the result of their being passed over has been that for four years these unfortunate men have been groan-

ing under the old exorbitant rents. I and others pointed out in 1887 that we failed to see any difference between leaseholders of 99 years and leaseholders of longer terms; but we had to make a virtue of necessity at the time. A compromise was arrived at by the House, but it was known that I and many others never acquiesced in it, and year after year Bills have been introduced to settle the question. I do not think the bulk of the long leaseholders exist on the estates of the old Irish landlords; they hold under men who have purchased out of the wreck of the old Irish landlords. Those landlords now are in many cases shopkeepers in towns, and I need not tell the House what kind of landlords they are. Whatever were the faults of the old landlords, they were positively blameless compared with these new landlords, the tenants of whom in many cases are made to pay more than double the rent that is paid by their neighbours for land of the same description and in the same neighbourhood. In some instances the tenants pay from £2 10s. to £3 an acre, while a tenant with land on the other side of the hedge only pays £1. I admit, as the hon. Member for South Antrim has stated, that there is one thing in this Bill which was not in that of last year—that the fee farm grants have been added to the measure, but it must be borne in mind that he himself has admitted that there is no difference be- the fee farm leases and the perpetuity leases. The House by this Bill is simply asked to do justice to the men who were left out of the Act of 1887. The landlords will be given the option of selling; it is only when they absolutely refuse to do so that they will be forced into Court, and the tenants will be able to get a fair rent fixed. This is a just and equitable measure and will prevent a worthy class of tenants from inevitably going to the wall. It is, I maintain, a just Bill and will give relief to some 2,000 tenants—a relief which is much wanted and which ought to be given.

(4.15.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I wish to remind the House that the Bill is merely a clause, or rather two or three clauses, taken out of the Bill which the Government introduced early last year. It has been before the country, therefore, for a year and a half, and no comment has hitherto been made upon it, which induces me to believe that the Government are well advised in bringing it forward in its original shape, and in now trying to press it forward in a form which will enable it to become law in the present Session. My hon. Friend who has criticised the Bill will, I think, be of opinion that a worse form of tenure than that of letting agricultural land at the full agricultural value in perpetuity could not be devised. There is nothing analogous to it anywhere, so far as I know; certainly there is nothing analogous to it either in England or Scotland. If the Parliament of this country was justified, as it thought itself justified, in allowing the copyhold tenant of England to personally redeem his tenancy at a fair price, so I think Parliament would now be justified, by a parity of reasoning, in allowing the perpetual leaseholder, holding agricultural land at the full agricultural rack-rent, also to redeem his holding at a fair price. It will not be denied that the provisions made in the Bill for seeing that the price should be a fair one afford ample security and guarantee to the landlord. I believe the Bill meets with the general approval of almost every class in Ireland, including the landlord class.

Question put, and agreed to.

Bill read the second time.

MR. SEXTON: May I suggest to the right hon. Gentleman that he should put down the Committee stage as the first Order of the day for which it is fixed, in order that it may be disposed of as promptly as possible.

MR. A. J. BALFOUR: I have consulted with my right hon. Friend the leader of the House, and I will put down the Committee stage for Thursday week.

Bill committed for Thursday, 16th July.

COUNTY COUNCILS (ELECTIONS) BILL.

(No. 361.)

COMMITTEE.

Order for Committee read.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 5, to leave out the words "The 8th day of March shall be."—(*Mr. Heneage.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and agreed to.

*(4.25.) SIR J. LUBBOCK (London University) moved, in page 1, line 5, at the commencement of the clause, to insert "except as regards the administrative County of London." The right hon. Gentleman said: The object of the Amendment is to except the administrative County of London from the scope of the clause. At the outset I would call the attention of hon. Members opposite who have so often attacked the London County Council to the fact that their own Government are now proposing to prolong the powers of the Council for six months. The London County Council feel that this is a great compliment; the Council indeed were at first disposed to accept the proposal made in the Bill, and actually passed a resolution to that effect. The Finance and Parliamentary Committees, however, felt very strongly the inconvenience that would arise, and the subject was brought up again, when their arguments convinced the great majority of the Council, and a resolution was passed by 73 votes to 22 in favour of November as against March. The reasons are twofold—partly financial and partly Parliamentary. Taking finance first, the Committee will remember that the Council's year ends in March, and the new rate has practically to be made by the Council early in April, on a Report from the Finance Committee, sanctioned by the Treasury. The rate must be passed by the Council the first week in April, and as the consent of the Treasury has to be obtained, it is clear that the estimates must be sent in by the Finance Committee at the latest on the 1st of April. Now, if the Bill in its present form is to apply to London, the new Council will be elected on the 8th of March. The first duty of the new Council will be to elect a Chairman and Aldermen. I will assume that this is settled by the 16th, that being the earliest possible date. Then the 137 members have to be allotted to the Committees, which are about 20 in number. That is a very important matter, and must certainly take a week, bringing us to the 22nd. There would then only remain 10 days for the Spending Committees to frame their estimates, and for the Finance Committee to consider and recommend for the Council to adopt them. It is quite obvious that the time is altogether insufficient. Such an elaborate process cannot be compressed within 10 days, except with the greatest possible inconvenience. The very first day the Spending Committees meet they would have estimates laid before them by the clerk and would have to come to a determination upon them at once. It is impossible that they could give to them the consideration they require and the estimates must be accepted without proper time having been afforded for their examination. In the same way the Finance Committee will have to accept the estimates sent up by the other Committees without any time for consideration. The Spending Committees will be compelled to adopt the estimates of the clerks of Committees, and the Finance Committee will have no option but to take those of the Comptroller. I have the greatest confidence in the officers of the Council, still it is obvious that under the circumstances the estimates will really be theirs and not those of the Council. I hold in my hand a letter from the Comptroller, in which he urges very strongly the extreme inconvenience of this course. It is very probable that the election may turn partly on questions of finance. [*Ironical Ministerial cheers.*] I am glad to hear that cheer from hon. Gentlemen opposite. I believe the election will turn to some extent a finance, and yet, as I have shown, the new Council must either adopt the previous expenditure, or cut down the estimates without any time for serious study and examination of them. Is it possible to devise any process more likely to interfere with the economical management of the affairs of the London County Council? It must be remembered that we are not now dealing with a single event, but with a proposal which will affect London in future every third year. Now, nothing is so likely to encourage extravagance as to weaken responsibility. If you reject this Amendment one result will be that every third year it will be impossible for our fellow-citizens to saddle anyone with the responsibility of London finance. The

incoming Council will say, "We are not responsible for the finances, because it was our predecessors who made the estimates. We have no time to examine them." The outgoing Council will say, "We are not responsible, because it is the new Council which spend the money." I am sure the Committee will feel that the opinion of Lord Lingen, Chairman of the Finance Committee of the County Council, both from his great official experience and from the fact that he has presided over our finances from the commencement, is entitled to great weight. He writes to me as follows—

"I cannot conceive how any one who thinks of the consequences can propose that the London County Council shall be elected in March."

He goes on to say that, while he is anxious to be as conciliatory as possible and to meet the views of Government wherever he can, on this point of the date, "we must endeavour to the uttermost to induce the Government to meet our views." I will not put my opinion as adding anything material to the high authority of Lord Lingen, but so far as it goes I would earnestly press the Committee and the Government to accept the Amendment on financial grounds and in the interests of economy. The Parliamentary reasons are scarcely less strong. In any case, the notices for new Bills must be given by the outgoing Council, but if the elections are in November the new Council will have ample time to consider the legislation proposed and determine their policy. On the other hand, by April their Bills may be, and, indeed, will be, in Committee. If the elections are in March, the outgoing Council will be liable to be told in this House that they do not represent London; and, on the other hand, the new Council will have to determine their policy on many points, often of great difficulty and complexity, with scarcely any time for information and reflection; it will take them some time to look into the questions, and till they have done so no one will be able to express the view of the Council. If, therefore, the Committee reject this Amendment, the result will be that every third year London will be paralysed for some weeks in the very middle of the Session, because there will be nobody in this House able to speak on behalf of the London County Council. And this difficulty will not merely arise in connection with the Bills directly promoted by the County Council. The great majority of the Acts of Parliament affecting London are not brought in by the County Council, but by railway, tramway, and other companies. Most of these are in Committee by March, and yet, by this proposal of the Government, the County Council will be deprived of the power of speaking just when it is most necessary it should be actively watching the interests of the public of London. My right hon. Friend the President of the Local Government Board wishes to make the elections for County Councils uniform. But London is really a municipality, and should be treated as such, and not in the same manner as a country district. If uniformity is desired, surely London elections ought to be at the same time as those of other great cities. November has been found most convenient for the holding of these elections in all towns and cities, and the same consideration applies to London also. Every other municipality holds its election in November, and London desires to do so too. Surely, that is essentially a matter which the London County Council might well be allowed to settle. The reasons given for opposing November are that the next Budget of the Council may show a considerable increase of expenditure, and that the outgoing Council ought to present their balance-sheet to the constituencies before the new election. That, however, is, on the face of it, proposing a permanent inconvenience to meet a single case; and let me point out further, that we should not have to present the Budget in any case, be the election in November or in March. The incoming Council will have to perform that duty, and my Amendment will afford them ample time to examine its details and determine what their policy shall be. Moreover, I see no reason why there should be any serious increase of expenditure next year, and, in saying that, I do so after consultation with the Comptroller and Lord Lingen. In any case, however, if the elections are to take place early in March, and the rate was not made until April, it is evident that the rate will be made by the new

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Council. The difference, however, is that, under the Bill as it stands, the new Council will have to make the rate immediately after they are elected; while, if the Amendment is carried, they will have time to consider and determine their policy. Let me remind the House that a very large majority of the Council, including those especially responsible for the financial and Parliamentary business of the Council — the Vice Chairman and Deputy Chairman of the Council, the Chairman and Vice Chairman of both our Finance and Parliamentary Committees, our Comptroller and our Parliamentary Agent—are all of one opinion, and strongly of one opinion, namely, that the holding of the elections in March will be seriously detrimental to the efficient government of London. I must apologise for having intruded so long on the Committee; but in the interests of London, and believing that the Amendment is of great importance both with reference to efficiency and economy, I earnestly recommend it to the favourable consideration of the Committee.

Amendment proposed, in page 1, line 5, at commencement of Clause, to insert the words "except as regards the administrative county of London."—(*Sir J. Lubbock.*)

Question proposed, "That those words be there inserted."

(4.45.) MR. BOULNOIS (Marylebone, E.): I should like to say a few words as to the views of the moderate and consistent section of the County Council. The right hon. Baronet has very forcibly brought before the House the views of the majority of the Council, whom he represents, but I may remind him that there are those who hold that the ratepayers ought to be considered in the matter, and the information which has reached me induces me to believe that by them March is considered a more suitable time than November. In November we have the School Board elections, and it is very inconvenient to have two big elections in the same month, owing to the extreme apathy of the electors. Again, with regard to the introduction of Bills and the opposition to the Bills, whether the County Council is elected in November or March, the plans must be deposited by the end of November; and it must be remembered that the County Council does not actually expire; there are Aldermen to keep up its continuity; and the Bills are conducted, not by the County Council, but by the agents and counsel they employ. There are, no doubt, members of the County Council who desire to have a finger in the pie, but in my opinion it is not desirable that they should. I am, therefore, not at all sure that it would not be an advantage to the ratepayers of London to have an opportunity of saying at the polls whether they support or oppose a particular Bill promoted by the County Council. I can conceive cases in which a Bill promoted by the Radical and Progressive Party in the London County Council might be extremely distasteful to a large number of ratepayers, who would desire an opportunity of expressing their views on the question, but generally speaking, it is not desirable that the ordinary course in connection with the promotion of a Bill and its progress through Parliament should be interfered with. As to the objection that the new budget will have to be issued by the incoming Council, I did not know that there will be any particular harm in that, as it will afford them an opportunity of revising the estimates. In point of fact the estimates, although only presented in March, are prepared months beforehand, not by one Committee, but by several Committees, which have to make up their minds long in advance as to the work they recommend the Council to carry out, and it is exceedingly desirable that the voice of the ratepayers, who have to find the money, should be heard on the estimates. There is something behind all this opposition, and it has been revealed since the members of the County Council on one occasion voted one way, and on another occasion quite differently. In fact, they did not know their own minds at the time. The leader of the Progressive and Radical Party in the Council (Sir Thomas Farrer), in a letter to the *Times*, wrote as if the County Council had been taken by surprise by the Bill of my right hon. Friend. But it was perfectly well known for weeks and months beforehand that the right hon. Gentleman proposed to alter the time from November to March. Sir Thomas Farrer forgot to mention an important circumstance, and that was that

at a meeting of the Radical and Progressive Party the wire pullers informed them that if they did not upset the previous decision of the Council they would lose their seats. Sir T. Farrer returns to the charge, and in a letter to the *Times* to-day he says that his former letter carefully avoided all political questions. Of course it did. It would not have done for him to state what had taken place at the meeting of the Progressive and Radical Party. Sir T. Farrer waxes exceedingly wroth; he says that if the Bill is not amended in this respect, it will be intolerable, and that the London County Council will be paralysed and emasculated by what is proposed. If some of its vitality were taken away from it, I am not sure but that it would be a good thing. Unless some very strong reason is shown against it, or the ratepayers feel very strongly on the subject, the Committee ought to adhere to the date mentioned in the Bill. This House has something to do beyond considering the political exigencies of the Progressive Party in the London County Council; its duty is to study the interests of the ratepayers, and their opinion is, I believe, that March is the best month for holding the elections.

*(4.57.) MR. CAUSTON (Southwark, W.): I hope that the right hon. Gentleman will fall in with the view of the President of the London County Council, which is a very different body from the County Councils in the country, and is, in fact, a great Civic Corporation. The County Councils in the country have not power to promote Bills in Parliament, but the London County Council has, though, in my opinion, its powers are not yet sufficient. If the election is held in November it will be held on a new register, whereas in March the register will be six months old and 20 per cent. of the electors will have removed. The hon. Member has said that the people of London will desire to have an opportunity of expressing their views on the Parliamentary proposals of the County Councils, but they will have that opportunity if the elections are held in November; and if the constituencies are against the proposals, the Council can alter or withdraw them. The hon. Member who last spoke did not attempt to combat the arguments on the financial aspect of the question, and, as the right hon. Baronet the Member for London University told us, he was supported strongly by Lord Lingen and nearly all the responsible heads in this matter. I think the House ought to give full weight to that authoritative opinion. The election in March, as regards London, would be very inconvenient and very unfair. Further, nothing could tend to make the members of the London County Council more irresponsible than they would be if they were elected at a time when they would have had nothing whatever to do with the preparation of the Estimates, and when Parliamentary work would be so far advanced that they would not be able to interfere with it. Again, if the work done is good, their opponents would take the credit of it; and, if bad, the responsibility would be disclaimed; or if there are any proposals before Parliament that they disapprove, they will not have an opportunity for saying so and stopping the proceedings going on.

*(5.5.) COLONEL HUGHES (Woolwich): This is an interesting subject which should be approached without any of the Party feeling by which the London County Council is supposed to be divided. In most representative assemblies there are two Parties, but, at any rate, the question for this House is, what will be the better time for the elections? With regard to November the objection is that the register will not be ready until the 31st of December. So that, unless special provision is made to accelerate registration, the election will have to be held upon the old register. That, I think, would be very lamentable indeed. The experience which the Government have had of attempting to accelerate registration has not been of a nature to encourage them to provide a new register for an election in November. The School Board election is undoubtedly to be held in November, but it is upon the rate book, which is a totally different matter. The County Council register is to be revised by the Revising Barrister, who sits in September, and appeals from his decisions could not be heard until later; therefore, I do not see how it is possible to have the election in November except on the old register. It has been suggested that the election should be held in January, but

that is usually a season of kindly social intercourse which one would not like to see interrupted by the unkind things which are said during an election. The point has been raised as to the preparation of the County Council's financial budget. I think there would be advantage in the estimates being framed by the Committees which have been in office for three years, and know where economies can be effected. There is another thing which should be considered, that if the new body were to frame the estimates, the whole blame of any miscarriage could be thrown upon them by their predecessors—and we know that it is not uncommon to avoid responsibility. If the election were held in March, the Bill should be made sufficiently elastic to allow the County Council to have the election on Saturday or any other day of the week that might be considered suitable, besides which in March there are some hours more of daylight in which to vote, and, on the whole, I think March has the best of the argument.

*(5.10.) MR. LAWSON (St. Pancras, W.): The hon. Member for Marylebone says that this has been made a political question. Who has made it a political question? There is a particular sect of Members opposite who, whenever a County Council Bill is brought forward, act in a hostile and partisan spirit. If a Bill is brought forward by some large Provincial Municipality all descriptions of Members for that town support the Bill. But if a Bill is promoted by the London County Council certain hon. Members opposite feel bound to go in a direction contrary to that pursued by the majority of the County Council. There is nothing political in this question; it is simply administrative and financial. And I would point out that the right hon. Gentleman (Sir J. Lubbock), Chairman of the London County Council, is a staunch supporter of the Government, so that he treats these questions in no Party spirit. Lord Lingen, Chairman of the Finance Committee, abstains from taking any part in these political divisions, and I think it must be conceded that the London County Council is practically unanimous in making this proposal. So far as the action of the Caucus, or Progressive Party, is concerned, I am bound to say that I myself have absolutely abstained from taking any part in Party meetings or Party organisation within the Council. I look upon them as an unmixed evil. This Party feeling is due not merely to our own side, but to an exactly similar organisation or caucus which is supported upon the other side. With regard to November being an unsuitable month for the election, the right hon. Gentleman knows very well that after the last Reform Act, in 1885, November was deliberately chosen for an appeal to the country, and I think we are just as likely to have sufficient time for the electorate in November as in March. London is not in a position parallel to that of any other country. Other County Councils have no power of promoting Bills, and so far as their Parliamentary work is concerned it cannot matter to them when the election takes place. The London County Council inherits all the powers of the Metropolitan Board of Works, which are extensive and considerable, with regard to the promoting or opposition to Bills in this House. This, I repeat, is not an administrative and not a political question, and I hope my right hon. Friend will agree to what is plainly in the interests of the Metropolis.

*(5.15.) MR. BARTLEY (Islington, N.): I certainly think that March is much the better month for the election. The public would then know whether it was the outgoing or incoming Council that was responsible for any particular action. If we have the election in November it will be upon the old register, and if we have it next March it will be on the register now being prepared. The hon. Member for St. Pancras dwelt a great deal upon political feeling, but I would remind him of the French proverb, "He who excuses accuses." No doubt the introduction of politics is much to be regretted, but it is a fact that politics are brought in; and it is a remarkable thing that the hon. Member did not say one word about what took place between the two meetings of the County Council, at the first of which they deliberately decided to have the election in March, and at the second of which they reversed their first decision in favour of having the election in November. There is a sort of haziness about what transpired. It is rumoured—perhaps the right hon.

Gentleman will contradict me if what I say is not correct — that Mr. Schnadhorst came down—["Oh!"]—Yes, let us have this out—and pointed out to this so-called Progressive Body that if they had the election in March it would be perfectly fatal to their chances at the next election. That is the real fact. Nobody can get up in this House to gainsay the statement.

*MR. LAWSON: So far as I know there is no truth in it.

*MR. BARTLEY: All I can say is, I should like to get Sir Thomas Farrer and some others into the box and ask them whether any such political meeting were held or not.

*MR. CAUSTON: Does the hon. Member say that the statement is true?

*MR. BARTLEY: I am not a progressive member of the London County Council, but I challenge anybody to dispute the statement. That is how political feeling has been brought in. By the plan proposed the people of London will be in a position to see who has the credit of a reduction of the rates, and who is responsible for the increase of £4,000,000 of debt and an extra 4d. rate. The County Council came to the conclusion that March was the better month, and they changed their minds when politics were introduced, and they thought it would be against them.

*(5.20.) EARL COMPTON (York, W.R., Barnsley): The hon. Member has stated one or two facts on which I would like to correct him. First, he said that the other County Councils throughout the country hold their election in March. Now the cities hold them in November.

*MR. BARTLEY: They are not County Councils.

*EARL COMPTON: I do not wish to quibble on the question. I am speaking of the county boroughs, which hold their elections in November. I am well aware that in the country districts the elections are held in March. Then I wish to correct the hon. Member as to the date of the new register. I am clearly of the idea that it will come into operation on the 24th October.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The new register will come into operation on the 1st January.

*EARL COMPTON: I think the speech of my hon. Friend (Mr. Lawson) is deserving attention. I believe I am called a progressive member of the London County Council, but when I stood I told the electors that I should have nothing to do with politics in the County Council, and it was upon that programme that both Liberals and Conservatives returned me. I regret extremely to hear my hon. Friend the Member for Marylebone talking about there being "something behind" the change of decision which the County Council made. There was nothing political in the change of views, and was it not better that they should withdraw from a conclusion which was proved to be wrong? It was shown that by having the election in March the Finance Committee would only have from the third week in March to the first week in April to decide what the estimate should be. Personally, it seems to me that it is impossible that they can do the work in the time. I should even prefer January to March if it could be so arranged, despite the fears about Christmas festivities, though, at the same time, I think November would be much more convenient. I would point out, further, that the County Council is much more likely to know what is for its own convenience than are Members of this House, who have very little acquaintance with the routine work of the London County Council.

(5.24.) MR. RITCHIE: I am sure the Committee will acquit me of anything like political feeling in promoting this Bill, or in declining to accept the Amendment submitted on behalf of the London County Council. I have no ill-feeling against that body, and I have always done what I can to assist it in carrying out its work. The right hon. Gentleman (Sir J. Lubbock) urged this alteration of date from three points of view—first, the wish of the London County Council; second, the financial question; and, third, the election as connected with the Parliamentary work of the County Council.

*SIR J. LUBBOCK: They are not merely our Bills, but those affecting London generally.

*MR. RITCHIE: Exactly; that is what I understand. I do not think the Committee will be surprised that on

the first question I cannot accept the representations which have been made, and I must ask the Committee to disregard the last decision at which the County Council have arrived. The action which the London County Council has taken with regard to this matter is, I think, somewhat extraordinary. They first decided that January should be the month, and subsequently they decided in favour of March. It cannot be contended that this decision was arrived at without having all the objections against the month of March before them. Every single objection raised to-day was put before the Council, when they came to a decision in favour of March. I am not going to enter into the reasons which prompted the Council to so speedily rescind the resolutions they had passed. I know nothing whatever of the secret meeting held by the so-called Progressives with regard to this matter, although it has not been denied that such a meeting took place.

*EARL COMPTON: I know nothing about it.

*MR. RITCHIE: Perhaps the noble Lord was laid up with the influenza.

*EARL COMPTON: I know that such meetings take place, but I have not attended any.

*SIR J. LUBBOCK: I know nothing of any such meeting. Does the right hon. Gentleman state that such a meeting took place?

*MR. RITCHIE: Oh, I know nothing about the meeting except what I have heard; but I have noticed that it is not denied that such a meeting took place, although, of course, I accept the right hon. Gentleman's statement that he knows nothing about it, and that there was no such meeting.

*SIR J. LUBBOCK: I have only asserted that if there was such a meeting I know nothing of it.

*MR. RITCHIE: Well, whether there was such a meeting or not, something or other occurred which altered a large majority for March into a large majority for November. Looking to the fact that that was the third date fixed upon, and also remembering that the noble Lord who spoke last is even now prepared to accept January, I do not think the last decision arrived at by the London County Council would justify the Committee in assenting to the Amendment. This is not a matter on which, in any event, the decision of the London County Council ought to be conclusive. There are other Representatives of the London ratepayers besides members of the County Council. The question affects, no doubt, the financial administration of the London County Council, but it also affects the ratepayers, and we ought to be guided very largely by what is most convenient to the ratepayers. I have received a representation signed by an immense majority of the Members of Parliament representing London constituencies, in which they represent that March would be more convenient. I do not know why the noble Lord (Earl Compton) should smile. He repudiates any political bias.

*MR. CAUSTON: Is the representation signed by Liberals as well as Conservatives?

*MR. RITCHIE: Here, again, we see that hon. Gentlemen opposite, who repudiate all political motives and denounce every one on this side of the House who says a word on the question, are continually introducing politics themselves. It is quite immaterial from the point of view which hon. Gentlemen opposite profess to have adopted whether the representation was signed by Liberals or Tories. The fact remains that the large majority of the Representatives of the ratepayers in this House are favourable to March. The whole basis of the legislation proposed by the Bill is that the time given at present is not sufficient for an election to take place under the new register. The proposal in the Amendment is not to take the same date as that of the municipal elections, which is November 1, but to go to the very end of that month. Another point urged by my right hon. Friend the Chairman of the London County Council (Sir J. Lubbock) has reference to finance. I understood the right hon. Gentleman to say that the new rate has to be made in the first week of April. I do not find that is so. Last year the estimates were submitted and adopted on March 25, approved on April 7, and the rate was made on April 21.

*SIR J. LUBBOCK: What I said was that the vote was passed on the 7th; the rate was formally made on the 21st; and the Vestries complain of the

inconvenience resulting from the rate being made so late.

*MR. RITCHIE: My right hon. Friend stated that the rate was made in the first week of April. It cannot be made before April 1, because the financial year terminates on March 31. If the Committee accepts the proposal of the Government that the election shall be in March, the first meeting will be on March 16th, and there will be plenty of time to make the rate even before the time at which the present Council has been in the habit of making it. The right hon. Gentleman objects to the preparation of the estimates by one Council and their adoption by another. In truth the estimates are prepared mainly by the officials, of course in consultation with the heads of Committees, months before they are presented. I believe the preparation begins as early as November. It is not necessary that the estimates should continue to bind the new Council elected in March. As the right hon. Gentleman knows, there are always two rates made in the year. In the Local Government Act express provision was made empowering, and, indeed, almost calling upon, County Councils to revise their estimates after the first six months. So that, supposing that during the first six months of the new Council they revised the estimates handed to them by their predecessors, and they found them in some respects excessive, they would be perfectly at liberty to review them for the second half-year. Who would be damnified or injured by the estimates being prepared by the outgoing Council? If they were insufficient they could be added to; if they were excessive they could be reduced. There are no obvious inconveniences or difficulties in this revision of the estimates by the new Council. Besides the expenditure out of rates, there is the expenditure out of borrowed money. We are told in a letter which I saw in the *Times* to-day from Sir Thomas Farrer that the estimate for this year is £4,371,000, of which £1,745,000 is to be re-lent to other bodies, and £2,626,000 is required by the County Council itself. It is a very large sum, and very much in excess of the sum required last year, when the total was £2,808,000, and the sum to be re-lent £1,510,000. I do not think myself that there would be any disadvantage in the electors having estimates of this kind before them at the election. The whole administration of the County Council is practically based upon finance, and it would not be a bad thing that the ratepayers should have before them a concrete example of the financial policy of the County Council at the time of the election. It might be that at the time proposed for the election in March there would be no general exposition of the finance of the London County Council before the electors, yet, as notice of the financial Bill would be given in February, the broad features of the financial policy of the Council would necessarily be known, and I do not think that would be a bad thing. Supposing the Money Bill is prepared by the old Council, and the new Council has to administer it, there is no disadvantage in that, because the Bill deals with the maximum sum which has to be raised, and the new Council may take advantage of the maximum given to them in the Bill, or they may not. If they desire to retrench there is nothing to prevent them. Then with regard to the promotion of private business. Notices of Private Bills have to be given in November, and if any have to be opposed the necessary steps must be taken whether the elections are held in November or in March; whilst, as to the policy of the London Council in regard to opposition to Private Bills, it is not likely there will be any great difference of opinion between the old Council and the new. Apart from all other questions, March is by far the most convenient month for the election. The days are two hours longer then than in November, when fogs are proverbial and daylight is a great advantage to all concerned in an election. Again, nothing could be more unfortunate than that the School Board election and the County Council election should be held within a few days of each other, not only because it would be difficult to interest the electors in the two elections at the same time, but also because in the School Board election the voting is cumulative and in the County Council election it is not—a difference which may have the effect of losing a large number of votes. As to a revolution being effected in the constitu-

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tion of the County Council, it is probable that a large number of the present members will be returned again, and I do not think there will be anything like that break of continuity in the work of the Council which some seem to anticipate. For these reasons I ask the Committee to support the Government in adhering to the Bill.

*(5.55.) MR. H. H. FOWLER (Wolverhampton, E.): I will not detain the Committee for more than a minute or two, but I wish to point out that three years ago the right hon. Gentleman carried the Local Government Act, in which all these dates were fixed, and all the objections now taken—meteorological, administrative, or financial — were equally strong at that time. In 1888 the right hon. Gentleman proposed that the municipal year in London should commence on the same date as the municipal year in every other large town in England; and no inconvenience has been experienced in other towns from any of the causes named. Why should the municipal life of London be suddenly dissevered from the municipal life of the rest of the country? It appears that a majority of London Members of Parliament sitting on the other side of the House have suggested to the right hon. Gentleman that this alteration should be made.

*MR. RITCHIE: No; they did not suggest anything of the kind.

*MR. H. H. FOWLER: Then the alteration is proposed by the right hon. Gentleman of his own initiative.

*MR. RITCHIE: I did not say so. The alteration was suggested in the House by more than one Member on the Second Reading of the Bill for accelerating the registrations.

*MR. H. H. FOWLER: It does not appear that those Members are now present to support the suggestion they made. The right hon. Gentleman said that the London County Council have formed two or three conflicting opinions on the subject of the date of the election. Well, other bodies higher than the London County Council have held different opinions, and yet the right hon. Gentleman does not repudiate their right to represent this country. I must say I do not attach any great importance to the financial or administrative argument. These elections take place once in three years, the Budget is brought in every year, and applications to Parliament are made every year, and if the London County Council are actuated by these dark designs of a political character they will take care not to leave themselves open to attack from opponents on their financial proposals. But what I would rather rest the argument upon is this: that the municipal year of England commences in November, and why should there be a difference as regards the London County Council?

*MR. RITCHIE: They proposed it.

*MR. H. H. FOWLER: If there are no better reasons put forward we may well ask what reasons there may be behind? It is a very singular thing that the hon. Members who have distinguished themselves by an unswerving and constant opposition to everything that the London County Council have said or done are the gentlemen who are most anxious that this change should take place. Well, I am not anxious to prolong the existence of the County Council or any other institution for six months longer than Parliament has proposed. The Council was put into office for three years, and I see no reason for prolonging their existence. If they have forfeited the confidence of their constituents, if they have adopted a policy objectionable to those they represent, the sooner they go to their constituents and know their fate the better. I offer a suggestion to hon. Members opposite in reference to municipal elections—and that is, that I do not think they will find the cry about the increase of rates will be a very popular one. There are certain constituencies in which that cry will have force; but even under the cumulative system under which School Board elections are carried on, my experience is that elections turn upon the question of carrying on the municipal work in the best manner, and that the mere cry of saving the rates is not an effective one. I am bound to say I do not think the right hon. Gentleman has made out a case for changing the date he fixed in the Act three years ago and which Parliament with due deliberation sanctioned.

(6.5.) MR. J. STUART (Shoreditch, Hoxton): I most certainly agree that this is in no sense a political matter, and

it would be foolish to make it so. I repudiate entirely all the statements made about Mr. Schnadhorst and the change being opposed on political grounds, and I do not see the advantage in any way of holding the elections in March. Whether the election is held in March or November, the London County Council will have to answer not for the policy adopted between the two dates, but for the policy pursued over three years. I cannot see that there is any ground for the expectation that the date will have any prejudicial or injurious effect on what is called the Progressive Party on the Council, and that is the view I have taken all along. Why we wish the date to be November rather than March has been sufficiently explained; and I listened attentively to the right hon. Gentleman's statement to see if I could find any crumb of reason for giving the preference to March, but I have found nothing to convince me. Only two reasons do I find advanced. As to the argument based upon the weather in this country, and especially in London, that, surely, is one that cannot carry much weight. This is a very small matter when you have the administrative convenience on the other side. Then, as to what has been said about the School Board elections, the whole of that argument went to show that it is intolerable to have the cumulative system of voting along with the system of Parliamentary and County Council elections. If the School Board elections were conducted in the same manner as the County Council elections, the whole of that argument would vanish. I should welcome the introduction of a Bill to change the system, but this proposal only adds to existing difficulties. But we simply oppose this change from November to March because of the financial and administrative reasons, and we wish the County Council of London to be recognised as a great municipal authority, on the same footing as the Municipalities of other great towns in the country. On these grounds I entirely support the proposal of my right hon. Friend behind me. I may recall to the President of the Local Government Board his own argument used some time ago, that registration was somewhat late, that it was difficult to get the registers out in time, and, therefore, he felt at that time it would be better to accelerate the register in some way. But the Bill fell through in consequence of the complicated difficulties met with.

*MR. RITCHIE: It was not due to complications at all; the Bill was withdrawn in consequence of the determined opposition of a few hon. Members.

MR. J. STUART: Well, surely this is a much less effective way of settling the difficulty. I believe that some hon. Gentlemen opposite think they can gain some political advantage from the proposed change, and I am sorry to find this position taken up. We founded our objections on arguments in no sense political, and these arguments are put forward by men who have identified themselves, and not as politicans, with the work of the London County Council, the right hon. Gentleman (Sir J. Lubbock) and Lord Lingen. The proposed change will land the Council in considerable administrative difficulty. It will not do to say March offers no difficulty. We have to oppose Bills in Parliament, and the policy of the Council in respect to those matters must be shaped before March. There is an important matter to be considered next year, the Metropolitan Water Supply. The policy of the Council in this matter will be dictated by the people of London. You cannot expect a moribund Council to act with any great authority in such a case. Of course, this is a difficulty that may occur every three years. I sincerely regret that the right hon. Gentleman the President of the Local Government Board should have yielded to the political arguments advanced by hon. Gentlemen behind him, and allowed them to influence him against the administrative and financial reasons put forward in favour of the motion of the Chairman of the Council.

(6.15.) MR. J. ROWLANDS (Finsbury, E.): The right hon. Gentleman seems to have forgotten the issue raised by London Liberal Members in relation to the Registration Acceleration Bill. The position we took up had reference to the alteration of the date of the qualifying period.

*MR. RITCHIE: I did not mean to refer to the London Liberal Members especially.

MR. J. ROWLANDS: The right hon. Gentleman at the end of his

argument seemed to think that because we happen to have two elections in London, the School Board election and the County Council election, the electors might get confused in the use of the two sets of voting papers. But let me recall the fact that in 1885 we had within a few days a School Board election and a Parliamentary election, and I do not think the electorate found any grave difficulty about using the two systems of voting, and this experience should dispel all doubts on this account. I am quite at one with the right hon. Gentleman when he says that this matter concerns Members other than those who happen to be members of the Council. In opposing the change, I will not dwell upon the administrative difficulties, with which I am not familiar, but I urge now, as I urged when the Acceleration Bill was under discussion, we want the largest number of electors to vote on the new register. The election should take place as soon as possible after the register has been made, and I object to March being fixed on account of the long interval after registration and the possible disqualification of a large number of voters. I believe there would be no difficulty in getting the necessary printing done if the work is given to the proper firms, and I shall certainly support the Amendment.

*(6.19.) SIR J. LUBBOCK: There are just two points upon which I would say a word. The hon. Member for Marylebone said there is nothing to prevent the County Councils making the rate at an earlier period, but there he is under a misapprehension.

MR. BOULNOIS: The estimates?

*SIR J. LUBBOCK: Yes, estimates can be prepared, of course, but the point is about the rate, and that cannot be made up until the close of the financial year. The right hon. Gentleman said that last year we did not make the rate until April 16th, but the rate was passed on the 7th, though it could not be formally made because the Treasury sanction was not obtained. Even so the Vestries have represented the great inconvenience of this having reference to their own statutory objections, and have strongly urged that the rate should be made earlier in April. It is said the new Council could hold their first meeting on March 16th, but then they have to elect chairman and aldermen, and to to form committees, which will take some days, and the result would be they would only have some 10 days to consider the estimates. Of course, the clerks would be preparing these in the meantime, but they would have to be approved by the new Council, and 10 days do not allow time for proper consideration. Some hon. Members advocate March because they say that the present Council ought to present the Budget for next year; but whether the election is in November or March, this will be done by the new Council.

(6.23.) The Committee divided: — Ayes 104; Noes 172. — (Div. List, No. 326.)

(6.33.) MR. HENEAGE (Great Grimsby): I beg to move in line 6, after "councillors," the insertion of the following words, "in each county shall be such day between the first and eighth day of March as the county councils may fix." This is consequential to the decision just arrived at. It is admitted on all hands that the county councils should have seven days from which to select a day most convenient for the election. It would not be desirable for the Councils to stereotype the day.

Amendment proposed, in page 1, line 6, after "councillors," insert "in each county shall be such day between the first and the eighth day of March as the county councils may fix."—(*Mr. Heneage.*)

Question proposed, "That those words be there inserted."

(6.33.) MR. GURDON (Norfolk, Mid): I rise to move the substitution of January for March in the Amendment. In our Council there are no political parties, so that the questions which have been discussed on the last Amendment do not arise. We are unanimous in desiring that the month should be January rather than March, and I trust that the right hon. Gentleman the President of the Local Government Board, whose desire is to assist the County Councils, will not set his foot down and refuse to consider my appeal. In the Eastern Counties March is about the most inconvenient month of the

year. Though it is said that the days are short, and the weather is cold and gloomy, January has the advantage that it is a slack month—the slackest month in the whole year. There are fewer operations going on in the agricultural world, and in that month the fewest number of meetings are held. I will not repeat the arguments of the right hon. Gentleman the Member for the University of London, but as to the arguments of hon. Members opposite that in November the elections would have to be fought on the old register, I would point out that they would not apply to my proposal. In January the elections would be fought on the new register; and I would point out, further, in support of my Amendment, that the well-doing of County Councils depends upon the various committees of each Council being able to send in their reports to the Finance Committee in time for the preparation of the budget by the month of March. If the elections do not take place until March the financial reports will have to be adopted *en bloc*, and will have to be submitted to a Finance Committee that has had no experience. The right hon. Gentleman the President of the Local Government Board at first desired to fix the month of January for the elections, but he changed his mind in consequence of representations that were made to him. I trust he will revert to his first idea, and I, therefore, move my Amendment.

Amendment proposed to the proposed Amendment, to leave out the word "March" and to insert the word "January."—(*Mr. Gurdon.*)

Question proposed, "That the word 'March' stand part of the proposed Amendment."

(6.36.) SIR R. PAGET (Somerset, Wells): I hope the right hon. Gentleman the President of the Local Government Board will not accept the Amendment now recommended to the Committee. The arguments which were urged at some length in regard to the previous Amendment are, in my judgment, applicable to the present case. There is nothing new to be said in suggesting that the date should be January rather than March. Whether we regard it from an administrative, or a financial, or any other point of view, it is impossible to fix any date that will not have some inconvenience, but the general balance of opinions points to the date in the Bill as the most convenient. I am not sure whether the hon. Member opposite is a representative on the Central Association of County Councils, but as I have the honour to be a member of that Association, and to have realised what is the general opinion of almost the entirety of the County Councils of England, I am in a position to inform the Committee that the enormous majority of the representatives of the County Councils on that Association have come to the conclusion that the proper date is March, and I hope that the right hon. Gentleman will adhere to that date. I may say, further, that it is at the instance of that highly representative Association that March has been put in the Bill. It was put in to meet their wishes, not suddenly expressed, but expressed after due deliberation and debate and vote. Over 40 County Councils have come to an unanimous resolution, and I regret that the hon. Member opposite has not been able to enroll himself amongst that large number who continued to impress on the President of the Local Government Board the enormous advantage of fixing March as the date—which date I hope he will adhere to.

MR. HENEAGE: I hope the hon. Member will not press the Amendment. He only speaks for the County of Norfolk. In every other county of England January is considered by far the most inconvenient month for the labourers. It is dark and cold, and very often there is a great deal of snow about. Besides that, in Lincolnshire the month of March will be convenient for other reasons. All the Michaelmas and Martinmas rent audits are being carried out in January, and that, therefore, would be an inconvenient month to have these elections going on. It would be inconvenient for another reason. Looking at the business before us, Parliament may meet early next year, and it would be inconvenient to have these elections going on at the time Parliament meets. At that season of the year, too, there are a large number of meetings being held for charitable and other purposes, and for these and other reasons I think it would

be to the advantage of the general community to have the elections in March.

(6.39.) MR. S. HOARE (Norwich): I am sorry the hon. Baronet opposite thinks it is a case of Norfolk against the rest of the country. However, I am quite sure the Committee will be willing to listen to what the people of Norfolk have to say, as there is a strong feeling in the County Council there, which has already been expressed by the Chairman (Mr. Gurdon). I think it is only right that we should state what is felt, without repeating the arguments used in the previous discussion, as to the inconvenience of the elections in March, just before the new Budget has to be produced. But I would bring before the Committee one point that has not hitherto been brought before it at all, and that is the inconvenience of having an election during the time that the House is sitting, and when probably every Member of the House is interested—or should be interested—in the formation of his County Council. In many cases Members are candidates themselves for the suffrages of the county voters, and it seems to me it would be highly inconvenient—unless the House were to adjourn for a week during the elections—for those of us who are interested in those elections to have to take part in them whilst Parliament is sitting. The hon. Baronet who has spoken is Chairman of his County Council, and there are many other Chairmen of County Councils in the House. I put it to those gentlemen who have to be elected or re-elected Chairmen whether it would not be excessively inconvenient for them to be elected whilst this House is sitting? Without arguing for or against January, I do think that March would be so inconvenient that the Committee ought not to agree to it.

*(6.41.) MR. HOBHOUSE (Somerset, E.): As I am one of the Members of the House who will suffer inconvenience from the election taking place in March, I wish to give my reasons for supporting the proposal that the elections should take place in that month. It is true that holding the elections whilst Parliament is sitting will inflict a certain inconvenience on Members of the House, but what we have principally to consider is the convenience of the localities and of the electors of the County Councils. I can fully confirm everything that my hon. Friend and Colleague (Sir R. Paget) has said as to the opinion of the County Councils as a whole. At a largely attended meeting of the Executive of the County Councils it was unanimously agreed that March was better than January, and the reason, I think, is obvious. The days are longer and the weather, as a rule, is much better. For myself I fail to see any countervailing argument that has very much weight. The financial argument has been raised. Well, in our county the Finance Committee meets, as a rule, in the latter part of March in order to prepare the Estimates for the April meeting. If the proposal of the Bill is adopted the Finance Committee of the new County Council will be able to meet in the latter part of March and the Estimates can be dealt with in due time. I do not think there will be such a great break in the continuity of the County Councils at the next election as some Members seem to think. As a rule the old members will be elected or, at any rate, many of the members will have had experience and will be able to prepare the Estimates. I hope the Government will stick to their proposal.

*(6.44.) SIR J. LUBBOCK: I will not weary the Committee by repeating the arguments I used in the last Amendment, but I desire to say a word on behalf of the Chairman of the Finance Committee and the officials of the London County Council, and to support the hon. Member for Norfolk. If we cannot have November we should prefer January to March, for the reasons I have stated. The hon. Member for Somerset says we have to consider the convenience of the constituents and the electors. But there is something else to be considered besides that, and that is the business of the County Councils themselves. In the counties the organisation is simple and the finance is simple, but in London we stand on a different footing. We strongly support the Amendment. If we are to be considered a County Council we must have the advantages of the position, and in that case Norfolk does not stand alone in urging this Amendment on the favourable consideration of the Government.

*MR. RITCHIE: The right hon. Gentleman frankly acknowledges that the same arguments cannot be advanced for this Amendment for the counties as he advanced for London.

*SIR J. LUBBOCK: I am not speaking for any place but London. I should not presume to speak for the counties.

*(6.46.) MR. RITCHIE: It is evident the financial question is much more important in London than in the counties. I understand that, at any rate, so far as London is concerned, the question was considered and decided practically by us as between our date and the date proposed by the right hon. Gentleman. Of course, if the hon. Member opposite succeeds in persuading the Committee to alter the date from March to January, the situation of London will change accordingly. But we consider that March ought to be adhered to in the Bill. I do not wish to enlarge on the argument because a mere statement of the facts is enough. That has been made by the hon. Baronet the Member for Somersetshire, and I can bear out what he says, namely, that so far as we are able to gather the opinion of County Councils generally in the country, they are, with the exception of Norfolk, certainly in favour of March. It is not, as the Chairman of the Norfolk County Council has said, a political question in the counties, whatever it may be in London. That is evident from the deputation that came to me to urge that March should be the month. It was composed of the hon. Member for Somerset, Mr. Andrew Johnson, Chairman of the Essex County Council—at one time known as a staunch Liberal—and Lord Thring; and Mr. Hibbert was to have been present but was unable to attend. The mention of these names will show that the deputation was of a non-political character. What are we to do? We have the opinion of the Executive of the County Councils Association, who say that they are unanimous on the question. We have had from almost every county in England—at any rate, from an enormous majority of them—representations in favour of March in addition to the representations I have spoken of. The sole county in England that has made any representation against March has been Norfolk. I am sorry we are not able to please the County of Norfolk, but I hope if the Committee assents to the retention of March that experience will show that the County Council of Norfolk is wrong in the position it has taken up, and that all the rest of the counties are right. I have very little doubt that that will be the result. I should very much deplore any inconvenience arising to any county, but we feel bound to adhere to what we believe to be the views of the immense majority of the counties.

(6.50.) MR. J. STUART: I trust the House will be perfectly clear that in supporting the progressive majority on this question, we, on this side of the House, are not actuated by those political motives which have been thrown in our teeth. I wish to make it perfectly clear to the House that I give the most absolute and categorical denial to the statements made with respect to the progressive members of the County Council being actuated by any political influence brought to bear by Mr. Schnadhorst or anyone else.

Question put, and agreed to.

Original Question put, and agreed to.

Amendments agreed to:—Page 1, line 6, after "councillors," insert—

"(2) The ordinary day of retirement of county councillors shall be the eighth day of March in every third year, and on that day the county councillors then in office shall retire together, and their places shall be filled by the newly-elected councillors, who shall come into office on that day."

Page 1, line 6, leave out "and," and insert "(3)"; page 1, line 6, after "March," insert—

"Or such other day within ten days after the ordinary day of retirement of county councillors as the council of any county may from time to time fix for that county."—(*Mr. Heneage.*)

*MR. HOBHOUSE: I have put on the Paper an Amendment providing that each County Council shall have the power to fix, not only the day, but the hour of its meetings. This is most important because, owing to the long distance many members have to come, the hour at present fixed by Statute is sometimes very inconvenient.

Amendment proposed, after the word "councillors" in the last Amendment, to insert the words "and at such hour."—(*Mr. Hobhouse.*)

*MR. RITCHIE: The words suggested by the hon. Member will not do as they are, but I agree that if we fix the hour of the first statutory meeting the County Council should have the power of fixing its own subsequent meetings, and I will take care the matter is put right.

Amendment, by leave, withdrawn.

Further Amendments agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

(6.56.) MR. DE LISLE (Leicestershire, Mid): I beg to ask my right hon. Friend whether it is evident that the whole of the elections in each county shall take place on one day.

*MR. RITCHIE: The elections for the whole county will take place on the same day, but the days may differ in different counties.

Question put, and agreed to.

Clauses 2, 3, 4, 5, and 6, agreed to.

SIR R. PAGET: I beg to move the following new clause which stands in the name of the hon. Member for Tewkesbury (Sir John Dorington), namely:—

"The declaration required under sections thirty-four and thirty-five of 'The Municipal Corporations Act, 1882,' to be made by a person elected to a corporate office may be made within ten days after notice of the election, or within such extended time, if any, as the county council may authorise, not exceeding three months from the date of the election."

The object of the clause is very simple, and refers to the extension of the time during which the declaration of persons elected to corporate offices may be made. It will easily be seen that cases may arise in which it would be very advisable to have such an extension of time as is here proposed, and I would point out that there is a sufficient limitation contained in the words at the end of the clause, not exceeding three months from the date of the election.

New Clause (Amendment of 45 and 46 Vic. c. 50, ss. 34, 35, and 51 and 52 Vic. c. 41, s. 75, as to the declaration by a member of the council,)—(*Sir R. Paget,*)—brought up, and read the first and second time and added.

Schedule amended, and agreed to.

Bill reported; as amended, to be considered to-morrow, and to be printed. [Bill 404.]

STAMP DUTIES BILL.—(No. 304.)

As amended considered.

*(7.5.) SIR A. ROLLIT (Islington, S.): I beg to move the new clause standing in my name, after Clause 23, insert the following clause:—

"Any agreement or contract to which a Corporation is a party, and which would not be legally binding upon the Corporation unless under their common seal, shall be chargeable only with the same Stamp Duty as a like agreement or contract would be chargeable with if made between private persons and under hand only, and legally binding upon such persons."

I make this proposal on behalf of the Municipal Corporations throughout the country for the purpose of meeting a disability under which they at present labour, and which occasions a somewhat serious expenditure. If a Municipal Corporation enters into an agreement it has to do so under a 10s. stamp, because it is necessary that the seal of the Corporation should be affixed to Corporation documents. It has been held under a decision of the High Court that all documents coming under corporate seals are liable to the 10s. Stamp Duty, although in the case of all ordinary agreements outside Corporations an agreement is only subject to a 6d. stamp. I know a case in which 600 agreements are being entered into by a single corporate body in relation to the water supply, the subject matter of each of which does not exceed the value of 2s. 6d., and yet a 10s. stamp will be required in each of these cases. This, of course, becomes an additional tax on the ratepayers, and in such cases is, of course, a matter of considerable moment. I would point out that the principle on which this clause is founded is practically admitted in the Schedule of the Bill, because in the case of agreements or contracts made in pursuance of the Highways Act, the Highway Boards are enabled to make agreements which are only subject to a 6d. stamp. As the Highway Board is a Corporate Body, it seems an anomalous state of things that Municipal Corporations alone should be charged the 10s. stamp. It is, I believe, said on the part of the Government that this proposal, if accepted, would involve an alteration of the Revenue; but I believe it is open to me to make a proposal of this character without any real infringement of this objection.

A Clause (Certain agreements under seal to be chargeable as if under hand,) —(*Sir Albert Rollit,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(7.12.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): My hon. Friend has exactly foreseen the answer I am about to make to his proposal. When the matter was brought before the Grand Committee it was then stated that the proposal was one which would interfere with the Revenue, and it was suggested and maintained by the Chancellor of the Exchequer, that it would be intolerable to introduce into this Bill any alteration in the method of charge affecting the Stamp Duty. That is a matter which must be dealt with on a different occasion, and in a different way. As my hon. Friend says it is not a large matter, as far as the amount affected is concerned, but as a matter of principle, I hope he will be content with having raised the point, and will reserve it for consideration to another time.

Question put, and negatived.

(7.15.) MR. SEXTON (Belfast, W.): The object of the Amendment I rise to move is, that the sum of £14 in the shape of Stamp Duty now paid by the Imperial Exchequer to the Irish Benchers shall in future be paid to the Solicitors of Ireland belonging to the Incorporated Law Society. In 1791, an arrangement was made by which this money should be paid to the Benchers who then had control over the Solicitors, as a fund in connection with the education of their apprentices, and I am not disposed to say that the arrangement was unreasonable at that time. But a quarter of a century ago the Solicitors of Ireland became an Incorporated Body, and ceased to have relations with the Benchers in regard to the education of their apprentices. Nevertheless this fund has ever since remained in the hands of the Benchers, who, as I have said, formerly discharged the duties now undertaken by the solicitors. It is obvious that this inequitable and grotesque arrangement ought to be brought to an end as speedily as possible. I am aware that the Benchers raised an ingenious plea when the Society of Solicitors was incorporated and this point was brought forward. The Benchers said this money was given to them in 1791 and in respect of the education of apprentices, but in view of the rent of the Four Courts in Dublin. There is no doubt that by Royal Charter the site of the Four Courts was conveyed to the Benchers, but the Charter given to the Benchers reserved all the rights of the Crown, and as the Four Courts were held on their present site from the time of Elizabeth, the Benchers can have no right whatever to any claim for rent in respect of the site on which they stand. I am informed by the Secretary of the Law Society of Ireland that the Chancellor of the Exchequer has promised to make an inquiry into the matter. It is, I think, open to comment that now this Bill is before the House, the Chancellor of the Exchequer is not in his place.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Chancellor of the Exchequer is away on other public duties.

MR. SEXTON: That would be an excellent reason for postponing this Bill, but it is hardly a good reason for the absence of the Chancellor of the Exchequer when the Bill is before this House. At any rate, he promised to consider this matter before the Report stage of the Bill, and I trust the Government will, under those circumstances, accept my Amendment. I hope my hon. Friend will assist me in pressing on the Government for a fulfilment of their pledge that the inquiry promised shall be held before this Bill is passed.

Amendment proposed,

In page 11, line 16, to leave out from the word "treasurer," to end of Clause, and insert the words "Incorporated Law Society of Ireland, and shall be applied as the council of that society shall from to time direct."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

*(7.22.) SIR A. ROLLIT: As I was one of the two or three Members who introduced this matter to the Grand Committee I will say a few words upon it. So far as the circumstances are brought to my knowledge, they point to the conclusion to which the hon. Member has referred, namely, that these funds are not at present devoted to their proper purpose,

and that those who discharge the duties referred to ought to receive the recompense. Although it is said that some agreement exists which would displace that conclusion, I have not yet seen it. Therefore, in the general merits of the question, I agree with the hon. Member opposite; but I must differ with him as to what passed before the Committee. I think he is under a misapprehension. What I understood was that the Chancellor of the Exchequer promised an inquiry into the whole matter, but I hardly understood it was to be an inquiry before the Report stage of the Bill, indeed, such an inquiry could hardly have been undertaken so soon. I trust, however, that such an inquiry will be made, and will take place without undue delay. Moreover, I think it will establish the conclusion to which the hon. Member has arrived. If he insists on pressing the matter to a Division, I feel so strongly on the principle asserted by his Amendment that I may feel it my duty to vote with him; but I think that the best way of arriving at a definite conclusion is to assume that, not only will an inquiry be instituted, but that it will have the result he suggested.

*(7.27.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Without going into the merits of the question between the Incorporated Law Society and the Benchers, I submit two reasons why the House should not, on the passing of this Bill, come to any conclusion on the subject of the Amendment. The first is that it is a Consolidation Bill, and a proposal to divert a considerable sum of money from one important body to another is not a proper subject to be dealt with in such a Bill. The second reason is that the Chancellor of the Exchequer has promised an inquiry into the matter, and from the nature of the case the inquiry could not be completed in time for the Report stage of the Bill. Although I do not ask the House to go into the merits of the question, I must say a few words in reply to what has fallen from the right hon. Gentleman opposite. There would be much in the case he has put forward if these fees had been granted for services rendered by the Benchers in the matter of educating solicitors' apprentices. But I must point out that these stamp fees were really received by King's Inn in lieu of rent for the site of the Courts, and the arrangement was made as long ago as the last century during the construction of the buildings. This was stated in the Report of the Benchers in 1859, before the Act of 1866 referred to. It is urged that it was not challenged in any way at the time, nor for many years after. The payment commenced in 1791, years before the west wing of the building, now called the Four Courts, was completed, but the building took several years, and it was evidently pending its completion that the arrangement was entered into. There is no doubt that the site of the Four Courts was the property of the King's Inns. This is abundantly proved by charters, Acts of Parliament, and other evidence, going back for several centuries. I have no right to speak on behalf of the Benchers, but I have no doubt that they court the fullest inquiry into the origin of the arrangement under which they receive from the Crown the payments in question.

(7.35.) MR. KNOX (Cavan, W.): I think it is a pity that the right hon. Gentleman the Secretary to the Treasury, who must be fully informed on the point, did not tell the Attorney General for Ireland what was to be the nature of the inquiry promised by the Chancellor of the Exchequer. I do not pretend to form an opinion as to what may be the result of an inquiry, which is admitted to be much needed. It may be there is something to be said for the contention of the hon. and learned Gentleman that these fees are paid by solicitors' apprentices in Ireland as rent, but surely if it is necessary that rent should be paid, it might be raised in some other manner. It might be paid, for instance, in the same way as compensation was paid for the land acquired for the Royal Courts of Justice in London. These Courts were put up at the Imperial expense, towards which the Irish taxpayer contributed, and why should not the Royal Courts in Dublin be placed on a like footing? But looking at the documents which have been placed before us, I think

there is very slight ground for the theory that this was a rent. Hence the necessity for an independent inquiry, as a plain answer has not been given to my hon. Friend's question. I hope he will press his Amendment to a Division. Surely the Government can tell us what sort of inquiry it is intended to institute, who will conduct it, if it will be public, and if all the persons concerned will have an opportunity of being heard.

(7.40.) MR. JACKSON: The Chancellor of the Exchequer promised to look personally into the matter, and also expressed a desire that an inquiry should be held, so that he might be assisted in arriving at a conclusion on the merits. Hon. Members probably know that there has been a correspondence going on on this matter for some time. The Treasury desire to take up a perfectly impartial position. I am not quite sure what kind of inquiry it is possible to institute. The Chancellor of the Exchequer has no power to compel either side to appear before him against their will.

MR. SEXTON: He can tell them that if they do not come he will stop this source of revenue.

MR. JACKSON: That would be a rather strong course to take, and I am not quite sure he has power to do it. He would like to see an inquiry held by some gentlemen agreed upon by the Benchers of King's Inn on the one hand, and the Incorporated Law Society on the other. After such inquiry he will be prepared to introduce legislation, if such is necessary, in order to settle the matter upon equitable terms.

MR. SEXTON: Will the inquiry be held promptly?

MR. JACKSON: Yes.

MR. SEXTON: And conducted by persons unconnected with either of the parties?

MR. JACKSON: As far as my right hon. Friend can secure them.

MR. SEXTON: On that understanding I withdraw my Amendment.

Amendment, by leave, withdrawn.

Other Amendments made.

(7.44.) MR. CALDWELL (Glasgow, St. Rollox): I rise to move an Amendment in the Schedule, the object being to omit words providing that the Stamp Duty shall be 1d. on a lease of any dwelling-house, for any dwelling-house or part of a dwelling-house at a rent not exceeding the rate of £10 per annum. I have no doubt I shall be met by the objection on the part of the Solicitor General that this being a Consolidation Bill no change in the law is intended, but I will point out that, as the law now stands, it is only in Scotland that leases for one year, where the rent is under £10, can be stamped with a penny stamp. But by this Bill an alteration of the law is proposed, because it is sought to extend that provision to England and Ireland. Of course, I do not take exception to that. By all means let the law be uniform, although I believe I could show good reasons why this provision should apply only to Scotland, as there the leases are usually verbal, while in other parts of the United Kingdom they are in writing. I contend that by making this alteration in the existing law you open the door for my Amendment. In the case of Scotland it is felt that the law by which the same Stamp Duty is charged for a lease for one year as for one of 35 years is a very great hardship. In Scotland the practice is to have one year verbal leases, whereas in England the leases usually run for 7, 14, or 21 years, and as the Stamp Duty is the same for one year as for 35 years, the result is that the people of Scotland have to pay it 7, 14, or 21 years as often as the people of England have to. In Scotland this is felt to be a very great grievance. As the practice of having verbal leases is often found to be inconvenient, it is proposed that the leases should be in writing, and that the Stamp Duty should be a penny, no matter whether the rent is under or above £5. It may be said that there should be a difference made between a £10 and a £100 rental, but there is a clear answer to that, inasmuch as a penny receipt can be given for any amount. I believe that as a matter of fact in Glasgow hardly a single lease for a year has the Stamp Duty paid upon it; but if the clause is insisted upon as it stands, tenants will be put to the inconvenience of having a mere verbal agreement instead of an agreement reduced to writing, and therefore the Exchequer will not reap any benefit at all by this Stamp Duty. It

is unfair to raise revenue in a form which enables 99 people out of 100 to evade contributing to it; taxation should be on a fair and equitable basis, so that everyone should contribute a fair share. The Revenue would gain, and not lose, by the adoption of this Amendment. This matter was placed before the Chancellor of the Exchequer recently by a deputation from Scotland, and the right hon. Gentleman seemed impressed by their arguments. He promised to consider the possibility of making the change asked for, and I do urge that this is the only convenient opportunity likely to arise this Session. I may add that this matter affects the general public even more than landlords.

Amendment proposed, in page 63, line 31, to leave out from the word "at," to the word "annum," in line 32, both inclusive.—(*Mr. Caldwell.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

(7.50.) SIR E. CLARKE: I can only make the answer which was given by the Chancellor of the Exchequer when the same reasons were advanced by the hon. Member in Committee. The hon. Member suggests that the proposed change would lead to an increase in the Revenue of the country, but that is not the view of the Chancellor of the Exchequer. But whether there will be an increase or a diminution, this is a matter which belongs to a Budget Bill, and not to a Consolidation Bill. Surely the burden of taxation upon a particular class is not an admissible topic to enter upon when the House is considering the consolidation of the laws relating to Stamp Duties.

SIR G. TREVELYAN (Glasgow, Bridgeton): The Solicitor General has not replied to my hon. Friend's arguments as to the alteration which the Government is proposing to make in the law in the interests of England and Ireland. Of course we do not object to the extension of the privilege of a penny Stamp Duty.

MR. JACKSON: It is done for the sake of uniformity.

SIR G. TREVELYAN: But still it will affect the Revenue. I think good grounds have been made out for adopting this Amendment. There is a great consensus of Scotch opinion in its favour, and we believe that while it will increase the revenue, it will put contracts in Ireland on a more satisfactory footing.

(7.53.) DR. CAMERON (Glasgow, College): I may state in fairness to my hon. Friend it is the tenants rather than the property owners who will gain by this change. In the case of verbal leases it is necessary to have a witness, and that witness is usually someone in the employ of the landlord or his factor, therefore any dispute usually results unfavourably to the tenant. I think my hon. Friend has done good service in bringing this matter forward. His proposal would ensure complete uniformity throughout the United Kingdom, and I do submit that this is an opportune moment for making the change. In the past the Chancellors of the Exchequer have been obstinately blind to their own interests in this matter. I trust that my hon. Friend in order to emphasise his protest will press the Motion to a Division.

(7.55.) MR. J. PARKER SMITH (Lanark, Partick): The Amendment expresses the general sense of inconvenience felt under the present system. It is obvious that a verbal instead of a written agreement must lead to enormous inconvenience. I would suggest that there should be a penny duty on leases under £25. If no concession is made, I hope my hon. Friend will go to a Division.

(7.56.) The House divided:—Ayes 74; Noes 40.—(Div. List, No. 327.)

Bill read the third time, and passed.

STAMP DUTIES MANAGEMENT BILL.

(No. 305.)

As amended, considered; read the third time, and passed.

WESTERN HIGHLANDS AND ISLANDS (SCOTLAND) WORKS BILL.—(No. 396.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(8.6.) DR. McDONALD (Ross and Cromarty): I beg to move the insertion of the words "the county council of Ross and Cromarty and the district Council of Lews" after the word "Scotland," in line 10. The Chancellor of the Exchequer gave us a promise the other night that none of this money would be spent except with the consent of the County Council of Ross and Cromarty and the District Council of Lews. I think it would be quite as well if, instead of having a mere understanding to this effect, we inserted distinct words in the Bill.

Amendment proposed, in page 1, line 10, after "Scotland," to insert "the county council of Ross and Cromarty and the district council of Lews."—(*Dr. McDonald.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I hope the hon. Gentleman will not press the Amendment. The Government entirely adhere to what the Chancellor of the Exchequer has said, namely, that no roads in the island will be proceeded with under the present scheme, except with the approbation and concurrence of the County Council. It will be obvious to the hon. Gentleman that the Central Governing Authorities which have the duty of dispensing this money, and are responsible for it, stand in a different statutory position from the County Council. The hon. Member will be satisfied, I hope, with the assurance that the County Council will be taken along with the Government in what is being done, and I am happy to know that matters are even now harmoniously proceeding in the communications with the Local Authorities.

DR. CLARK (Caithness): I hope my hon. Friend will not think it necessary to press this Amendment. At the same time, the Chancellor of the Exchequer got this special Vote on the express condition that the County Council or District Council was to determine as to the expenditure of the money. I held then, as I hold now, that to expend £15,000 on the Carloway road would be a misuse of the money; and probably the Secretary for Scotland is already aware of that from the representations of his engineers.

DR. McDONALD: In face of the assurance of the Lord Advocate I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 2.

(8.10.) MR. CALDWELL (Glasgow, St. Rollox): I beg to move to add to Sub-section 3 of the clause the words

"The county council may also, before resolving to proceed as aforesaid, determine the boundaries of the special harbour or local works district, and such district shall be liable to special taxation under sub-section (25) hereof."

My Amendment is intended to facilitate the object of the Bill. The Government evidently intend that there shall be small harbours, piers, and boat slips made for the convenience of the crofters in the localities, and what I propose is that these various little communities shall be formed into special districts with the object of getting a local contribution towards the work. For that purpose it is necessary to form them into a special district, following the principle of the Public Health Act, which sets up special drainage and water districts. We cannot expect the people of Ross-shire in the mainland, far away from the sea, to be heavily taxed for the purpose of a harbour away on the west coast. The Amendment, therefore, is to form a special harbour or works district whereby the parties, both landlord and tenant, who are to get the benefit of the works shall contribute towards them in the only way in which we can get contributions from a locality.

(8.15.) MR. M'LAREN (Cheshire Crewe): Will the hon. Gentleman allow me to move an Amendment in the previous line? [MR. CALDWELL: Certainly.] I am anxious that Nairn should be included amongst the counties that are to get the benefit of the Bill. I have a very considerable acquaintance with the County and Borough of Nairn. The people of Nairn are essentially of the same class as those to whom the Bill applies. They are engaged in the same fishing,

and require the same harbour accommodation; and as they have already got a harbour, which, however, does not meet the necessities of the case, I trust the Lord Advocate will see his way to accept the Amendment.

Amendment proposed, in page 2, line 13, after "Cromarty," to insert "Nairn." —(*Mr. W. M'Laren.*)

Question proposed, "That the word 'Nairn' be there inserted."

(8.18.) MR. J. P. B. ROBERTSON: One result of there being no notice of this Amendment is that the hon. Member for the county (Mr. Seymour Keay), who is chiefly interested, and whose assiduity is unquestionable, is not present, and I therefore rather conjecture that the County of Nairn does not substantially desire the benefit suggested by the hon. Gentleman, who, with great deference, is quite an outsider. The proposal, however, is subject to very great objection. If there is to be a competition of this kind raised, every Scottish Member will at once come forward with a claim on behalf of his own constituency. The matter must be regarded strictly within the four corners of the Vote, and the proper time for raising any question as to the scope and application of the grant was when the Vote was taken.

MR. M'LAREN: I may be permitted to say that I am not altogether an outsider, for on a former occasion I was a candidate for the burghs of which Nairn forms one. On that occasion I pledged myself, at the earnest request of the people of Nairn, to do anything I could to forward their interests.

Question put, and negatived.

Amendment proposed,

In page 1, line 14, after "gift," insert "the county council may also, before resolving to proceed as aforesaid, determine the boundaries of the special harbour or local works district, and such district shall be liable to special taxation under sub-section (25) hereof." —(*Mr. Caldwell.*)

Question proposed, "That those words be there inserted."

(8.24.) MR. J. P. B. ROBERTSON: The proposal of the hon. Member (Mr. Caldwell) is open to very serious objection. The proposal of the Government is that the body which is to have the responsibility is the County Council; and, accordingly, the natural area of rating is to square with the area for which the administrative body is elected, namely, the county. The effect of the hon. Gentleman's proposal will be that members of the County Council, drawn from other portions of the county, will have no compunction at all in the matter of administration if they can put the cost upon one district which they do not represent. Several hon. Members must be aware of the exceedingly heavy rates which exist in some parts of the Highlands. The County Council has this year been representing that the burden on the ratepayers in the Island of Lews is excessive and intolerable. Therefore, I cannot say that I think we would be justified in proceeding to pile on heavy rates of this kind, and I trust the Committee will not agree to the Amendment, which is really unnecessary.

(8.27.) MR. ANGUS SUTHERLAND (Sutherland): With regard to this Amendment, I feel we have not had time to ascertain the feeling of the County Councils themselves. The Amendment is one which is particularly fitted to be remitted to the County Councils for consideration. At the same time, I quite agree with the Lord Advocate that there are difficulties in the way. It would be a grievous burden, indeed, for poor localities to have a special rate imposed upon them for harbours. I do not feel competent to express an opinion on the matter one way or another; but, at the same time, I certainly appreciate the difficulties suggested by the Lord Advocate, especially having in view the peculiar circumstances of some of the districts.

DR. MCDONALD: There are very considerable difficulties in dealing with this subject. The Island of Lews requires a great many harbours; but as most of the members of the County Council belong to the mainland, the difficulty is to get that body to proceed in the matter. From that point of view, I can see a difficulty in assenting to the proposal of my hon. Friend. The Island of Lews may be sacrificed by the mainlanders, because they would have to bear the

brunt of the taxation, getting nothing of the benefit. That is an important point, and I should like to know how that can be avoided.

(8.30.) DR. CLARK (Caithness): I have a similar Amendment, to permit a special assessment in a parish as well as in the county, but my proposition is only a 1d. rate for the whole parish. The Amendment of the hon. Member goes beyond that; he would permit a 6d. rate in addition to the 1d. rate for the county. This certainly contemplates a large rate, but I do not see why it should not be inserted in a permissive form, for there is a great deal to be said in favour of special areas of taxation. The only question is, whether you should have a smaller area than the parish, and whether there would not be bookkeeping difficulties in the working of the scheme. It would tend very much to remove difficulties if the County Council could come to terms with a parish, or those who desire the outlay, by which those particularly interested should take upon themselves voluntarily an extra rate. Under such circumstances, I think you would have more works carried out by the County Council, and I think perhaps a 3d. rate would be sufficient. I do not think very much harm could be done, for it would only apply within a special radius, and to one or two parishes, for, of course, a harbour might benefit adjoining parishes. The decision should be arrived at by a decisive majority of the ratepayers—say three-fourths or two-thirds — and, of course, the machinery for this would have to be provided. It could not do much harm, and it might enable the County Council to carry out schemes for the benefit of a particular parish, which otherwise they would be unwilling to undertake. I am in favour of some proposal of this kind.

(8.33.) MR. J. P. B. ROBERTSON: The proposal of the hon. Member is that a 6d. rate should fall upon one district after the whole of the county has been assessed at 1d., the 6d. rate not being exacted by the County Council. I think the logical mind of my hon. Friend has overlooked the objection there is to this. A heavy burden might be imposed upon the Island of Lewis, from which the mainland would be exempt; and the island would have but a fractional share in the administration, to the extent only of its representation on the Council. There is, I think, the gravest possible objection to the scheme, on the ground that it would make one set of people administrators while other people were to find the money. I do not think that it is necessary, *plus* the rate which the Bill proposes, to hold out the prospect of a 6d. rate; not only is it unnecessary, but the idea would have an injurious effect by frightening people as to future taxation. The prospect of a 6d. rate would, I think, have a tendency to rather retard than advance an improvement.

(8.35.) MR. CALDWELL: There is nothing novel about the proposal to impose an exceptional rate on a particular district; it is precisely what we have in the Public Health Act. I am anxious that this amount of money should be availed of to the fullest extent, and that works should not be hindered, because they will confer a benefit only on a limited area, the county, as a whole, not being interested. Of course, the 6d. rate may seem a large addition to the already heavy local burdens; but the effect of making harbours will be enormously to add to the industry and well-being of the people, and the consequence will be that there will be less poor rate to pay. That is the meaning and intention of the proposal. But, of course, I do not wish to interpose any obstacle in the way of carrying out the scheme of the Government. I suggest this as a means whereby I think works would be undertaken and carried out through the increased interest in a locality. I have no wish to press the proposal. (8.38.)

(9.12.) DR. CLARK: I would ask the hon. Member to withdraw the Amendment in order that the matter may be considered before Report, and because the hon. Member for Nairn, and another hon. Member who is interested, are not here. The hon. Member for Sutherland has only one island; I have only one, and my hon. Friend sitting near me (Dr. McDonald) has only one. The islands will be seriously affected by this; and as there is no machinery for ascertaining the opinions

of the people, who should be largely in favour of it before they are taxed, I think it would be better for the Amendment to be withdrawn at present so that the subject can be raised again on Report.

DR. McDONALD: I agree with my hon. Friend in thinking that the Amendment should be withdrawn for the present. It is true, as the hon. Member beside me has stated, that I represent only one island, but that island is a large one, containing 7,000 people, and it is important that they should not be sat on by the mainland. And yet that will happen in the case of all the islands unless something is done in the direction of this Amendment. I think, however, that we should take the matter up on Report in a much more drastic manner than we do now, and provide means to prevent the islands from suffering injustice.

(9.15.) MR. CALDWELL: There is a provision in the Bill whereby a rate may be levied on those using the harbour. That may be right, but what we want to insist on is that these harbours will be of immense service to the mainland within a certain area. The landed proprietors will derive benefit from the works being in their neighbourhood, and yet there is no power to compel them to subscribe. The object of the Amendment is to impose a certain taxation on those who certainly will reap enormous benefit from the works. Taxation should be imposed not only on the landlords, but on the tenants. I recognise that we should require a large amount of machinery for the creation of the necessary Local Authority to carry out the Act within the district to be benefited. That machinery can only be provided by a succession of clauses to be introduced on Report. With the object of giving an opportunity for those clauses to be prepared I withdraw the present Amendment. The Government will understand that I do not wish to place any obstacle in the way of the carrying out of the Bill, but that my desire is to make the measure more efficient.

Amendment, by leave, withdrawn.

(9.18.) DR. CLARK: I beg to propose an Amendment to permit the County Council, if they think proper, to use the special grant made under the Local Government Act, 1889. Under that Act £10,000 was given to the counties, a limit being attached to the use of it. This Amendment will enable them to make a special subscription towards harbours, piers, or boat slips from that money. There will also be a Supplementary Estimate giving to Scotland an equivalent to the assisted education grant in England. This will probably be only for one year, and the great bulk of the work will be carried on for only one year. This Amendment will permit the County Council to use the sum during the year for the development of the piers and harbours. It is only a permissive clause. I do not know what the supplementary grant will be, but I understand there is to be one given to Scotland, and I therefore wish to give them permissive power to spend it in this way.

Amendment proposed,

In page 2, line 14, after "gift," to insert "The county council may also use their portion of the ten thousand pounds granted to them by the first sub-section of the twenty-second section of 'The Local Government (Scotland) Act, 1889,' and any sum that may be granted to them by the Supplementary Estimate making a grant to county council in Scotland equivalent to the assisted education England grant as a subscription towards the construction of any small harbour, pier, or boat slip."—(*Dr. Clark.*)

Question proposed, "That those words be there inserted."

(9.20.) MR. J. P. B. ROBERTSON: As regards the Supplementary Estimate, I do not think it would be wise to adopt any such proposal. The Government have indicated to the House the proposals they are prepared to make on the subject, and it would be departing from the very general and entirely uncontroversial proposal which has been made—as to the application of the sum to be given to Scotland—if we were to accept an application to any specific purpose, such as the hon. Member suggests. I therefore hope that the House will not encourage the suggestion. As to the sum of £10,000 granted to the Highland counties under the Act of 1889, I have

something quite different to say. I cannot help thinking that that is a very good idea. I believe the hon. Member for St. Rollox has made a suggestion of a more general kind in a new clause he proposes to move. In the Amendment under consideration the hon. Member proposes to authorise any County Council, if so advised, to take its share of the £10,000 and give it as a subscription to a proposed new harbour. The Member for St. Rollox in the new clause proposes that in place of that the share of the county shall be available for the purposes of the Act. I do not suppose the hon. Member for Caithness attaches any special importance to a county taking the initiative, and paying down as a subscription its share, and probably the hon. Member is in general sympathy with the Member for St. Rollox. The best plan of harmonising these views, and giving effect to the hon. Member's own idea, would be to invest a power in the County Council at the end of Sub-section 26 to make available their share of this money for the making up of any deficit which might arise upon the construction of harbours, of which the County Council were the administrators. I would therefore propose to insert, at the end of Sub-section 26, the following:—

"Provided also that for the purpose of meeting any such deficiency the county council may apply any moneys falling to them under the provisions of section 22, sub-section 1, of 'The Local Government (Scotland) Act, 1889,' as if such purpose were one of the purposes to which such money may be applied under the provisions aforesaid."

In general, therefore, I accept this Amendment, but I should propose that the words I have quoted should be inserted at the end of the sub-section.

(9.24.) DR. CLARK: I do not think that would serve the object I have in view. What I desire is that if the County Councils want to get the Government to spend money for harbour construction they shall back it up by themselves, giving a proportion of the special grant which is given only to those counties. I want the County Council to have this money, and to be able to give a subscription or a grant towards any scheme which they think ought to be carried out. They have now the power of using this £10,000 for any purpose they think proper in reducing taxation. They also have the power of using the residue of the grant either for the purpose of reducing taxation or for technical education. I desire that they should be able to use the sum given by this Bill either for promoting the establishments of piers and harbours or for reducing taxation. The 26th clause only affects works that have been constructed out of money granted by Parliament, which money has not been sufficient to defray the whole cost of construction. I want to go beyond cases of that kind.

(9.27.) MR. CALDWELL: The £10,000 was granted to the Highlands in connection with exceptional works, and if this Bill had been before Parliament at the time there is no doubt that the sum would have been specially appropriated to the objects mentioned in it. As it is, the £10,000 might be held not to apply to the purposes of the present Bill. It is true that if the money is applied to other purposes there will be less taxation, but there is this difficulty: that Sub-section 26 applies to any case of deficiency in construction. I intend to move to leave out the sub-section altogether; and, therefore, I can hardly consent to a proviso being added to a proviso which I think had better be left out altogether. The object of my Amendment is to give to the County Council the power to apply the £10,000 to the purposes of this Bill in the same way as money is applied by the Local Government Act to the purposes of that Act.

(9.30.) MR. J. P. B. ROBERTSON: I should be inclined to accept the hon. Member's proposal with this modification, that in lieu of the words "purposes of this Act," the words shall read "purposes of Sub-sections 25 and 26 of this Act." I agree with him that what we aim at is to strengthen the resources of the counties referred to out of this fund for the purposes of harbours, and I ask how can we do that better than by placing at their disposal for the purposes of the Act the moneys in question? You will give them good heart to enter on these works by the additional resources placed at their disposal.

DR. CLARK: Are we to take it that the right hon. Gentleman means for the cost of harbours as well as for the construction of harbours for the purposes of the Act?

MR. CALDWELL: The hon. Member surely does not suppose that Sub-sections 25 and 26 will have that effect.

DR. CLARK: I will wait and see what else may be proposed, and, in the meantime, will ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

(9.35.) DR. McDONALD: I now beg to move as an Amendment, in line 17, after "from," to insert "the district committee, or." This will require that the County Council shall concur with the District Committee, and I would point out, as showing the necessity of this, that in these islands there is no one to take the lead in such matters, and where they have to send to Glasgow for an engineer to prepare plans and estimates the expense is very considerable. If the District Committee are consulted about these matters they can act for the whole of the Islands, and can take the lead in these matters with the money at their disposal, inasmuch as they have the taxation of the district at their back. If, however, it rests with the persons locally interested to incur the preliminary expenses, the Act will frequently be inoperative, because those in the locality will not undertake the cost.

Amendment proposed, in page 2, line 17, after the word "from," to insert the words "the District Committee or."—(*Dr. McDonald.*)

MR. J. P. B. ROBERTSON: Although this is only a small matter, I hope the Committee will stand by the Bill as it is. I ask, is it too much to say that the persons locally interested shall be at the initial cost of the plans? The proposal of the Amendment is that, as those locally interested are unable to bear the expense, it shall fall on us; but the first condition of applying for Parliamentary money is that, where there is a desire on the part of those living in a particular locality to have certain works done for their benefit, they should at least go to the expense of proving that those works are really essential.

(9.40.) MR. CALDWELL: But if in some of these localities the persons locally interested are to be at the preliminary cost, how are you to get them to act? If you form them into a district you will then have a body able to do what is necessary. If you formed the localities into districts the districts would be taxed for the preparation of the plans. How, under the proposal of the Bill, are you to get at the persons locally interested? Who are they? How is it possible for the County Council to levy a tax upon them? If you propose to tax the people locally interested you must form them into districts and create some kind of autonomy whereby you can assess them.

MR. CRAWFORD (Lanark, N.E.): I concur in the objection of the Lord Advocate to entertain a proposal of this kind unless there are some means of getting the initial cost from the people locally interested. At the same time, I think the right hon. Geetleman will admit that as the Bill stands it is hardly fair, because if you make those locally interested the responsible parties and entrust them with the duty of preparing plans, and the County Council, which is to be consulted, are to recover the money from those locally interested, that does not seem to be a businesslike proposal. Therefore, I think the alternative is to leave the expense with the County Council, or to put it, as the hon. Member for St. Rollox proposes, on the District Committee.

(9.45.) MR. J. P. B. ROBERTSON: The whole question is this: By this Bill we say that an application in respect of these works is to be forwarded to the County Council, but the people forwarding these applications are not to spend the county rates in obtaining plans and specifications for works that may prove to be abortive.

DR. CLARK: I am inclined to support the Government in this matter as the result of my experience of the Crofters' Act in regard to the provision of boats. I would point out that under Sub-section 3 the County Council have, first, to see what local support is to be

given, and if the people of the locality are not prepared to subscribe the cost of the plans the works can hardly be worth having. The amount is very small, and there are always local engineers employed at the different harbours from whom plans and specifications may be had at a very slight charge. I think the districts immediately concerned ought to subscribe. They may get subscriptions from the landlords. In one of the islands there were two landlords who were willing to subscribe £50 each for preliminary expenses, because they knew they would benefit from the increased value of their land caused by the new harbour works as much as the crofters.

(9.50.) DR. MCDONALD: I did not suggest that it was for want of public spirit that the people locally interested would not pay the preliminary expenses, but because they could not afford it. My hon. Friend on my right says, "If a locality will not pay it ought not to be helped." But there are many who are so poor that they cannot spend the money. Are they not to be helped? I say it is not right to compel a few persons to go to this expense, and refuse to back them up if the works they ask for are not made. In a great many of the islands this Act will prove useless for want of means to pay the preliminary expenses.

Amendment negatived.

Another Amendment made.

MR. CALDWELL: I now move to leave out Sub-section (26). As the Bill now stands there is no limit to the amount of taxation imposed. This is an important matter, because in the case of harbours it is almost impossible to tell what the cost will be. It is provided that the locality getting the benefit of the works shall be liable to special contributions respecting them; and I think it most unfair that the adjacent landed proprietors, whose property will be immensely improved by these works, are not to be called upon to contribute any more than landed proprietors living 25 or 50 miles away. The whole county assessment should be liable for any deficiency in the construction of the works.

Dr. Clark

Amendment proposed, in page 7, line 34, to leave out Sub-section (26).—(*Mr. Caldwell.*)

Question proposed, "That Sub-section (26) stand part of the Clause."

MR. J. P. B. ROBERTSON: I do not think the hon. Member will seriously press this proposal. The case is simply this: The County Council approach the Government with a plan for a harbour and undertake to do the work. They therefore derive all the benefits arising from the administration of those works, but the hon. Member proposes that nevertheless they are not to be liable for any deficiency in the cost of construction. I say that that is a plan which has no bottom in it, and which merely gives a sham system of administering harbours to the body which has undertaken their construction. For Parliament to sanction a proposal of this kind would, in my opinion, be utterly absurd.

(9.55.) DR. CLARK: We have had one or two serious examples of what may happen in regard to the construction of these works. In the case of the Wick Harbour the Treasury came to the assistance of the Corporation because they had compelled them to adopt a plan by which a great many thousands of pounds were literally thrown into the sea, and in the case of any of these harbours there is always the possibility that the works may be destroyed by a sudden storm. I think, therefore, that if the Government give the County Council power to construct such works they ought to bear a portion of the expense, because the Government have considered the plans and estimates as well as the County Council, and their approval ought to be accompanied by the consequent responsibility.

MR. CRAWFORD: I think it would be very prejudicial to the interests of the public if the County Council were not to be responsible for the completion of the works within certain limits, but within those limits they ought not to shirk the responsibility of providing the necessary funds.

MR. CALDWELL: If the County Council are to be entirely responsible, the result will be that they will refuse to sanction any harbour works at all,

because it has been shown to be impossible to estimate the cost of construction before these works are commenced. I regard this sub-section as a practical estoppel to this transaction, and that is why I proposed my Amendment that the locality reaping the benefit of a harbour should bear the loss up to a certain point.

DR. CLARK: Might I suggest a compromise? In Sub-section 25 there is a limit of 1d. in the £1 for maintenance, but this sub-section contains no limitation at all. Would it not be possible to insert a limitation, say of 6d. or 1s. in the £1?

Question put, and agreed to.

Clause agreed to.

Clause 3 and 4 agreed to.

Clause 5.

MR. ANGUS SUTHERLAND: I beg to move, in line 15, to leave out "two" and insert "five." My object is to make the Bill applicable to a class of cases at present entirely excluded from it. Why it should be so I am entirely at a loss to understand. The House has already voted for harbour purposes £40,000, and the whole sum wanted for piers and harbours is only £43,000. It has already been pointed out that a great deal of money will be absorbed in preliminary expenses, and that there are many things which cannot be done without going through a very costly and dilatory process. As I understand it, there is no justification whatever for the introduction of this Bill, except in the matter of this grant for harbours, and it was upon that grant alone that I advocated the bringing in of the Bill. I wish to substitute £5,000 for £2,000 in order that the provision may cover cases in my own constituency. I should like to know what defence the Lord Advocate has to give for his proposal as it stands. No doubt there is a dispensing power on the part of the Chief Secretary for Scotland, and if I get a promise that it will be used and applied to cases in my own constituency I shall be satisfied. I beg to move the substitution of £5,000 for £2,000.

Amendment proposed, in page 8, line 15, to leave out the word "two," and insert the word "five."—(*Mr. Angus Sutherland.*)

Question proposed, "That the word 'two' stand part of the Clause."

(10.2.) MR. J. P. B. ROBERTSON: I hope, in the first place, the Committee will understand this provision by no means limits the grant of money to the smaller harbours under £2,000. It merely applies a limitation to the smaller harbours by the short and somewhat arbitrary plan of fixing the details in which these harbours are to be carried out. As regards the larger harbours, it would be considered somewhat harsh of the Government to prescribe to the Local Authorities what are to be the precise conditions under which the harbours are to be administered. It is not merely a question of cheapening the cost, but it is also a question of stereotyping and making definite and somewhat rigid the conditions which are so to be applied. Some Harbour Authorities have already got Provisional Orders, and they merely require adjustment for the increased money.

MR. ANGUS SUTHERLAND: That must be only in the case of harbours begun years ago.

MR. J. P. B. ROBERTSON: Precisely. I am speaking only of some harbours, of which Ness is one. The hon. Gentleman has shown a natural anxiety about the grants of money already made, but he may be quite certain that the Secretary for Scotland—to say nothing by way of prejudging anything that may be submitted to him—will consider the fact of the money having been voted as one of the considerations to be borne in mind. I cannot, however, give a promise as to the particular cases mentioned. It is obvious that it is the interest of the House and of the Government to give fair play to what is an experimental proceeding with regard to Provisional Orders, and the experiment must be cautiously administered, not the least in the interests of the localities themselves. Never before has Parliament agreed to a proposal for the wholesale granting of Provisional Orders.

(10.6.) DR. CLARK: Surely the Lord Advocate does not contend that the people should be at the cost of obtaining

Provisional Orders in the larger cases. If so, then nothing can be done until next Session, and there is no necessity to vote the money. I hope the right hon. Gentleman will consider that the cases of the harbours in Sutherlandshire and Skye which have been mentioned are exceptional, and that they will be dealt with accordingly. With regard to the limit of £2,000 I agree that that is rather low, and I think it might well be extended to £3,000. £2,000 is a very small sum for constructing a harbour; it might suffice to make a boat-station or to throw out a little breakwater, but £3,000 is the least with which a decent fishing harbour can be secured. If the Government agree to substitute £3,000 for £2,000 they will improve the Bill, and it should be remembered that it will still be impossible to do anything without the sanction first of the County Council and then of the Secretary for Scotland. I hope that in this case the Lord Advocate will fight our battle against the Treasury.

MR. ANGUS SUTHERLAND: I have no desire to unduly press the right hon. Gentleman on this point, but I do regret the Lord Advocate is not in a position to give me a more definite answer in regard to the harbours I have mentioned. I therefore feel myself compelled to divide the Committee on the Amendment.

(10.10.) DR. CAMERON: Why will not the right hon. Gentleman meet us half way and, to use a sporting phrase, "split the difference"?

MR. BUCHANAN (Edinburgh, W.): I think the Government should respond to the appeal made by my hon. Friend. I am not acquainted practically with the work of harbour construction, but it seems hardly possible to construct even the smallest harbour for a sum of £2,000. If money is to be given for the construction of these harbours such a figure should be mentioned in the Bill as will make the provisions operative.

COLONEL NOLAN (Galway, N.): I quite agree it is impossible to make a harbour for £2,000. As Chairman of the Piers and Harbours (Ireland) Commission I am sure of that. Some years ago, when labour was cheaper, it might have been possible to do it for £2,500, but even that is not now possible. I think the Government ought to fix a sum of £3,000 or £4,000.

MR. D. CRAWFORD: The Lord Advocate said it was not desirable to issue these Provisional Orders on too lavish a scale, and that it was better the Bill should be limited to comparatively small undertakings. But may I remind him that the requisites of Provisional Orders will already have been fulfilled in these cases, because a Government inquiry has been held as to the utility and expediency of these undertakings, and full publicity given to the matter. Seeing how very little can be done for £2,000, I think it would be wise to raise the figure.

(10.15.) The Committee divided:—Ayes 94; Noes 52.—(Div. List, No. 328.)

(10.24.) Original Question again proposed.

DR. CLARK: Cannot we have some kind of compromise? I move to insert the figure of £2,500.

THE CHAIRMAN: Order, order!

DR. CLARK: I think, Sir, it would be in order for me to move the insertion of "five hundred," as the figure 2 still stands in the clause.

Amendment proposed, in page 8, line 15, after "two thousand," to insert "five hundred."—(*Dr. Clark.*)

MR. J. P. B. ROBERTSON: The sum of £2,000 was arrived at after very careful consideration by the several Departments concerned, and we cannot alter it.

Amendment negatived.

Clause agreed to.

New Clause—

(Amendment of 52 & 53 Vic. c. 50, s. 22.)

"Sub-section (1) of section 22 of 'The Local Government (Scotland) Act, 1889,' is hereby amended to the effect of authorising county councils in receipt of the annual grant of ten thousand pounds to apply the proportion affeering to them respectively or any portion thereof to the purposes of this Act, or in relief of local taxation for the purposes of this Act in such county,"—(*Mr. Caldwell,*)

—brought up, and read the first and second time.

Amendment proposed, in line 5, after the words "purposes of," to insert the words "section 2, sub-sections 25 and 26 of."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

DR. CLARK: What is the meaning of this Amendment? If it is to limit the powers of the County Council, I should prefer the clause as it stands. As it now stands the money will be used for any purpose under the Act. I do not see why it should be limited as the right hon. Gentleman proposes.

(10.28.) MR. J. P. B. ROBERTSON: My object is to limit the clause. I have no doubt that if the clause in its present form is allowed to stand no Court will allow money to be spent except under under Sub-sections 25 and 26, which are the sub-sections which deal with the executive powers of the County Council in spending money. I therefore prefer the gloss which I have ventured to put on the generality of the clause.

DR. CLARK: I am not at all satisfied with this explanation, and shall press my objection to a Division. What I want is that when Parliament votes a special sum for a special district the County Council shall not have power to say how the money shall be spent. All I ask is that the £10,000 which is granted to the counties affected by this Bill to meet these exceptional circumstances shall not go into the pockets of the landlords and large tenants by being applied to a reduction of the rates, but shall be used for the benefit of the crofters. I fear that at least two-thirds of it will go into the pockets of the landlords and sportsmen and big farmers, who have done so much to produce the misery we are now trying to remedy. This money is really wanted for the purpose of developing the resources of the county, and not for the purpose of reducing the rates of landlords and big tenants. You are not giving us a penny for the crofters, and on that ground I intend to go to a Division.

DR. MCDONALD: I certainly agree with my hon. Friend, and if he divides the Committee I shall go into the Lobby with him.

(10.33.) The Committee divided:—Ayes 109; Noes 53.—(Div. List, No. 329.)

Clauses, as amended, added.

Bill reported.

MR. J. P. B. ROBERTSON: We will put down the consideration for Thursday.

(10.40.) DR. CLARK: I hope the Report stage will be deferred to a later date. Several Scotch Members who are much interested in the Bill, and who have some important questions to put in reference to it, are absent, and may not be able to return to the House by Thursday.

MR. ANGUS SUTHERLAND: I join in the request of the hon. Member for Caithness. It is necessary that we should have an opportunity of corresponding with the County Councils on the matter.

MR. J. P. B. ROBERTSON: It is most desirable that the work should be set about at once. That is the reason for the introduction of the Bill, and the districts interested are very anxious that no time should be lost. I should have thought hon. Members opposite would have been aware of this, and would have met the proposal in the same spirit. The Government, therefore, will certainly retain the appointment for Thursday, and if circumstances then make it necessary to postpone the Bill, the responsibility must rest with hon. Members.

Bill, as amended, to be considered upon Thursday.

METALLIFEROUS MINES (ISLE OF MAN) BILL.—(No. 400.)

SECOND READING.

Order for Second Reading read.

(10.42.) Motion made, and Question proposed, "That the Bill be now read a second time."

DR. CLARK (Caithness): Does not this Bill deal with a matter which can be dealt with by the House of Keys?

*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Bill does not belong to that category,

being a Bill to amend an Act of the Imperial Parliament. It is introduced in this House at the expressed wish of the Authorities of the Isle of Man.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

POST OFFICE ACTS AMENDMENT BILL.—(No. 366.)

COMMITTEE.

Considered in Committee

(In the Committee.)

Clause 1.

(10.43.) Amendment proposed, in page 1, line 7, to leave out "before the first day of January next."—(*Mr. Raikes.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

DR. CAMERON (Glasgow, College): I rise for the purpose of asking the right hon. Gentleman to repeat publicly the assurance which he has given some of those interested in this clause privately as to the exact intention of the clause. I had put down an Amendment stipulating that certain marks on newspapers should not be held as rendering the newspapers liable to surcharge. The right hon. Gentleman gave excellent reasons for leaving the matter to be settled by regulation by the Post Office Authorities. But at some future date the officials may not know the exact meaning of the clause, and therefore it is well the right hon. Gentleman should make some public statement to which we may refer if any dispute arises.

*SIR E. BIRKBECK (Norfolk, E.): I wish to put a question to my right hon. Friend the Postmaster General, which is one of great importance to Friendly Societies. I want to know whether there is a clause in the Bill which deals with a grievance under which the Friendly Societies of this country have laboured for a number of years, and to which over and over again they have drawn the attention of the Postmaster General. I would ask whether there is a clause in the Bill which will allow circulars issued by lodges of Friendly Societies to go through the post at a halfpenny instead of a penny rate? The question is one that has been brought to the notice of my right hon. Friend several times by the "Friendly Societies Conference," representing 2,229,000 members and £16,000,000 capital.

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The hon. Baronet the Member for Norfolk has quite rightly represented the intention of the Government in dealing with the circulars of friendly societies. Constant complaints have been made that owing to the existing regulations with regard to circulars the members are continually surcharged in consequence of some entry in writing upon a document which is otherwise printed. I hope and believe that as soon as the Treasury Warrant under this Act is promulgated these societies will see that their wishes have been met and that the grievance has been remedied. What I understand the hon. Member for Glasgow to desire to do is not merely to allow a newspaper to pass which has got on the cover "See mark inside," but to extend that privilege to other indicative marks, such as "See page 5," or sometimes, as advertisers prefer, a hand pointing to page 3 or 4, as the case may be. It is to enable the Department to frame the regulations in a more comprehensive way that the clause is drawn in the particular shape in which it appears in the Bill, and our one desire in so doing is to afford much greater latitude than could be done by any specific exemption in dealing with these indicative marks on newspapers, which are largely used both by advertisers and also by companies when they send out to their shareholders copies of a newspaper containing a report of their general meetings.

Clause, as amended, agreed to.

Clause 2.

*(10.52.) MR. RAIKES: I beg to move the Amendment standing in my name, which is intended to meet the requirements of newspapers, and at the same time to give due protection to the Revenue.

Amendment proposed,

In page 1, line 22, after "but," to leave out to end of sub-section, and insert "all sheets of a supplement shall be put together at some one part of the registered newspaper, whether gummed or stitched up with the newpaper or not."—(*Mr. Raikes.*)

Question, "That those words be there inserted," put, and agreed to.

DR. CAMERON: I have to move an Amendment, with the object of making it perfectly plain that the Bill carries out the intentions expressed by the Postmaster General on the Second Reading respecting supplements to illustrated papers.

Amendment proposed,

In page 1, line 25, to leave out from "There," to "Supplement," in line 27, and insert "There shall further be repealed so much of the said section six as requires the supplement to a newspaper to have the date of publication of the newpaper printed on the top of every page, or of every sheet or side on which any engraving, print, or lithograph appears."—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(10.55.) MR. RAIKES: I think this Amendment is better drafted than the sub-section as it stands in the Bill. I should say, however, that the intention of the Government has been to relieve from the necessity of affixing a date only those supplements which consist of engravings, lithographs, or illustrations, and not to relieve every supplement from the necessity of affixing a date. We have felt it desirable to insist on that point, because otherwise the door might be left open for stereotyped advertisements being published as a supplement to a newspaper without any date, and I think the requirement of the date should still be enforced as regards any supplement of that description. I will accept the Amendment, subject to the insertion, if necessary, of verbal Amendments on Report.

DR. CAMERON: I shall be very ready to accept that proposal, but I do not think any Amendment will be necessary.

Question put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

Amendment agreed to, page 2, line 1, leave out Sub-section 4.—(*Mr. Raikes.*)

MR. PICTON (Leicester): I wish to ask the right hon. Gentleman whether he will take power at later stages to modify the definition of a newspaper contained in Section 6? Objection is taken to the limitation of a newspaper to a document containing a particular kind of news. It has been shown that many very good publications are not allowed to pass as newspapers simply because they do not contain political or police news, whereas papers of a much more unhealthy tendency, which give all the police court cases, are allowed so to pass. I ask the right hon. Gentleman whether it is not possible to meet the application which has been made as to the relaxation of the definition?

*(11.0.) MR. RAIKES: The hon. Member has quite correctly stated that I have had the views of a representative deputation in regard to a great many magazines and other publications which in some degree partake of the character of a newspaper. I listened with great attention to what was said by members of that deputation, and have given careful consideration to suggestions made then and since. I quite admit that the question of the further definition of a newspaper is one that might very well occupy the attention of the Government, and is not unlikely to occupy the attention of Parliament in the future, but, having regard to the importance of passing this Bill, it is inexpedient to embark upon so large a question at the present time. I am therefore obliged to resist the introduction of any definition of what constitutes a newspaper. It is on that account that the hon. Member for Canterbury has withdrawn an Amendment which stood in his name going in this direction. Without promising to introduce a Bill on the subject, I will undertake that it shall not be lost sight of, and I shall be ready to consider any suggestions offered.

*MR. H. H. FOWLER (Wolverhampton, E.): I think the right hon. Gentleman takes a reasonable view. I

quite appreciate the difficulty of dealing with the subject, but to illustrate its urgency I would mention that the postage of *Good Words*, weighing 6 oz., is 1½d., whilst in America the postage of *Harper's Magazine* is a farthing, the weight being 14 oz., and the price 1s. So that a magazine in America is transmitted by post for an additional 2 per cent. on the cost, but in this country at an additional 25 per cent. I do not make any suggestion with a view of injuring the Postal Revenue, because I believe the greater facilities that are offered for circulation, the larger the revenue that will be brought in. It is a question that requires considerable care, and this it must receive. Subject to that I endorse what the right hon. Gentleman has said.

(11.5.) DR. CAMERON: While the definition requires amendment, I quite agree that it is a matter not to be dealt with hurriedly. I agree that at this period of the Session it would be hazardous to attempt a new definition of a newspaper, and that the work had better be postponed to another Session.

Clause, as amended, agreed to.

Clause 3 omitted.

Clause 4.

*MR. RAIKES: Here I propose to leave out the reference to the maximum weight of newspapers, for I think it is part of the question to be considered in connection with the definition of a newspaper.

Amendment proposed, in page 2, line 14, to leave out sub-section "(a)."—(*Mr. Raikes.*)

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

*MR. LENG (Dundee): I am under the impression that the phrase "postal packet" includes newspapers. Will the facilities for re-addressing be extended to newspapers?

*MR. RAIKES: That is a point requiring some further consideration. If the hon. Gentleman will repeat his question on the Report stage I shall be in a position to give him a more definite answer than now I can.

MR. PICTON: The Treasury are here given the power of making regulations as to the re-addressing of "postal packets," which, as I understand, include newspapers. Has the right hon. Gentleman considered the point in relation to newspapers sent to our soldiers and sailors abroad? Is it not possible to let these have their newspapers at a cheaper rate? Letters they receive at a cheaper rate, but they have to pay more for receiving newspapers than letters. Of course, soldiers and sailors when they go abroad are anxious to know the news of the countryside, and what is going on around their old home, but the cost of postage prevents them from having their newspapers as they otherwise would. It is a small point, though important to the men in the Services. Will the right hon. Gentleman consider whether power should be taken to deal with this matter? He told me that the Post Office had no power to reduce the rate, but is it not desirable that our soldiers and sailors should have newspapers as well as letters at a cheaper rate?

*MR. RAIKES: This clause has reference only to the question of re-direction; it has no reference to the particular point raised by the hon. Member. I think it would be better that we should keep all these questions relating to newspapers together. I do not think it would be germane to the Bill as it now stands to introduce a particular reference to the postage of newspapers to soldiers and sailors, but I will keep it in mind.

*SIR J. SWINBURNE (Staffordshire, Lichfield): The right hon. Gentleman will perhaps also consider whether in the re-addressing of newspapers to sailors from port to port there should be a reduction of postage.

(11.10.) MR. MORTON (Peterborough): In this Clause 4 it is provided that power should be given to the Treasury to alter the present rate imposed upon re-directed letters, but I rather gathered that postal packets were to be sent free when re-directed. Is that so, or is a lower rate to be imposed?

*MR. RAIKES: The intention is to abrogate the charge on re-directed postal packets.

MR. MORTON: Altogether?

*MR. RAIKES: Yes.

Question put, and agreed to.

Clauses 5, 6, and 7, agreed to.

Clause 8.

*MR. RAIKES: I have a small Amendment to propose, which does not appear on the Paper, in line 14, to add after "or" the words "with the consent of the Local Government Board," that is to say, that when any land is appropriated by a Municipal Authority for the purposes of a post office, the assent of the Local Government Board to the appropriation shall first be required. It has been thought desirable, in the interest of the ratepayers, to introduce these words as a sort of check upon too effusive liberality on the part of an Urban Sanitary Authority. Therefore, I move to insert the words. I may say that, as the law stands, such bodies are not able to make grants of money without the sanction of the Local Government Board, and we think that a grant of land should be on the same footing as a grant of money.

Amendment proposed, in page 3, line 14, after "or," to insert, "with the consent of the Local Government Board."—(*Mr. Raikes.*)

Question proposed, "That those words be there inserted."

DR. CAMERON: These words would not apply to Scotland, I presume? It is not proposed that the Local Government Board should give its consent there. It would be an extension of jurisdiction that is not desirable. We have in Scotland no Local Government Board in the sense in which that Board exercises control in England. We have in some sort an equivalent in the Board of Supervision, but I think it would be desirable to exempt Scotland from such a provision as this, leaving the Municipal Authorities to deal with these matters with the assent of the Secretary of State for Scotland.

MR. RAIKES: It is a point to consider, and perhaps the hon. Member will raise the question again on the Report stage.

MR. PICKERSGILL (Bethnal Green, S.W.): I greatly object to continually bringing in the authority of the Local Government Board. I have great respect for the Board and for its President, but I do not think the Board knows more about local affairs than the Local Authority. These references to the Central Authority cause many difficulties. I remember that in the neighbourhood of Liverpool there was some trifling little notice issued in reference to cattle disease, and this it appeared had been issued without consultation with the proper authority, and the correspondence and trouble that ensued cost more than the printing of the notice itself. There is too much meddling by the Central Authority in everything that is done. Surely the representatives of the ratepayers are likely to look after the local interests. We have been told that the sanction is required in matters of money, and I am sorry that is so. There is no reason why it should be extended to land also. The Local Authority can, I think, very well be trusted.

*(11.15.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): This is only in conformity with the existing law. So far as concerns the disposal of money raised by the rates no consent of the Local Government Board is required. But it has rightly been considered by Parliament that the Local Government Board is to some extent the guardian of property for posterity, and so no money can be borrowed or land alienated without the assent of the Board. The land belongs not to the present ratepayers, but to the Municipality for all time. Money borrowed for this purpose, or land contributed, stands in the same position.

MR. MORTON: I find nothing in the clause about borrowed money, and I therefore do not understand the speech of the right hon. Gentleman. But in reference to land, I object to this introduction of the authority of the Local Government Board,

So far as my experience goes, these Local Government Board inquiries serve no purpose but to help to keep up a big staff in London, and to find employment for idle people who cannot be provided for in any other way. I object to the principle of centralisation thus introduced. This interposition of the Central Board has a harmful effect, because you will not get the best men to serve on these Local Bodies if they are to be under the supervision of somebody in London.

MR. H. H. FOWLER: How does this agree with the Municipal Corporations Act, which provides that a Corporation shall not alienate any land without the assent of the Treasury?

*MR. RITCHIE: That has since been transferred to the Local Government Board.

Question put, and agreed to.

Question proposed, "That the clause, as amended, stand part of the Bill."

(11.19.) MR. PICKERSGILL: This seems to me to be rather a beggarly clause for a large and lucrative Department to introduce into the Bill. It is an attempt to shift off to other shoulders a burden which ought to fall on the Department. The clause is—

"Where the council of any borough or the urban sanitary authority of any district consider that it would be beneficial to the inhabitants of such borough or district that any new post office should be on a more expensive site, or of a larger size, or of a more ornate building or otherwise of a more expensive character than the Postmaster General would otherwise provide, such council or authority may contribute towards such new post office, either by a grant of money or the appropriation of land belonging to the council or authority, or by the purchase of land for the purpose."

Now, the Committee will see that this clause provides for the case in a manner quite different to that proposed in the Amendment on the Paper in the name of an hon. Member on this side of the House, which is a proposal that where a district is not entitled to have a post office at all, it may arrange with the Postmaster General to have a post office on guaranteeing the Department against loss. That seems to me a reasonable and convenient proposal. But Clause 8 deals with a totally different state of things. Clause 8 assumes that a new post office is about to be built, and enables the locality to have a better post office than that contemplated by the Department on payment of the difference in expense. Now, my point is this, the Postmaster General is already bound to provide for a locality such a post office building as is suitable to local requirements. How can the Local Authority determine what is wanted in regard to size? Only the experience of the Department can determine that. If the Department is bound to provide a suitable building, I do not see what the district is to receive for the subsidy it is invited to grant. It may be said the clause does not compel, but only permits, the Local Authority to grant a subsidy, and therefore it can do no harm. But there I take issue, and say I think it will do harm. I contend that the result of introducing such a clause as this will be to lower the normal standard for post office buildings. The Department will also put pressure on the locality to grant a subsidy in order that the buildings may be of a better character. This great Department of State will be reduced, I might almost say, to the level of those American Railway Companies who issue a general invitation to towns on the route to provide subsidies in cash or land. On these grounds I demur to the policy of this clause, and should Members of the Committee be disposed to take my view, I am willing to divide against it.

*(11.22.) MR. RAIKES: I think I shall be able to reassure the hon. Gentleman as to the purpose of the clause, which in its object is wholly permissive. There is not the slightest idea of putting pressure upon any Municipal or other Urban Authority. As the law now stands, however, Local Authorities are restrained from doing that which they would wish to do if they were able. A case occurred the other day which first suggested to me the desirableness of introducing this clause. There was an important manufacturing town in the north with a piece of land in the immediate neighbourhood of its public buildings, which would serve as a suitable site for a post office. The existing post office is in a part of the town not alto-

gether inconvenient, but not by any means so suitable; the requirements of the service having outgrown the accommodation provided many years ago. Under such circumstances it is usual for the Post Office, with the assent of the Treasury, to add to the existing building. The Corporation offered, in consideration of a transfer of the post office to a more convenient site in the town, to make a present of a small portion of the land on which to build a post office. The grant was accepted, but afterwards grave doubts arose as to whether the Corporation were legally empowered to do this. It appears to me that many similar cases might arise, and thus it is desirable to obtain power to legalise such transactions and to enable Local Authorities to offer sites in order to secure the most convenient buildings. It is quite possible, also, that questions may arise as to style and decoration, and harmony with existing buildings. The Post Office, with the Treasury at its elbow, might not find itself in a position to build a new post office building in a style acceptable to the inhabitants, who require something more handsome, something more suitable to the other public buildings in the town. So I think it is desirable that a locality should have the power to carry out its wishes by offering the site, and thus enabling the Post Office to spend more on the building; there is no idea of using pressure of any kind.

(11.27.) MR. PICKERSGILL: The observations of the right hon. Gentleman are entitled to consideration no doubt; but they do not cover the whole case. The right hon. Gentleman has only dealt with the question of land, but in my opinion the grant of money is the more objectionable part of the proposal. Perhaps the right hon. Gentleman would be willing, between now and Report, to consider whether the part of the clause dealing with appropriations of money might be eliminated, and then I will raise no further objection.

SIR G. CAMPBELL (Kirkcaldy, &c.): The clause seems to me to be a reasonable one. If the Local Authority is desirous of adding to the beauty of the town or conferring greater convenience on the inhabitants by the position of the post office, I see no reason to object to their carrying out the wishes of the ratepayers at the local expense. I shall support the clause.

MR. MORTON: I object to the clause altogether, because I think that the Post Office, with the revenue at its disposal, ought to be able to build the necessary buildings on the sites where they are required. I do not say that I object so much to the question of site; but the clause goes further and gives a Local Authority power of interposing and spending the local funds on a building of the size of which as required for post office purposes they will be unable to judge, or upon style and decoration the fad of a few councillors for the time being. There is no occasion for this at all. If the right hon. Gentleman will make the clause apply to only the site I should take no particular objection to it. Otherwise I shall have pleasure in voting against the section altogether.

*(11.31.) MR. H. H. FOWLER: I am surprised at the distrust of Local Authorities which some of my hon. Friends have expressed. Surely the elected representatives of the ratepayers of large towns can be trusted without being checked and controlled at every turn by the House of Commons or some Department of the State. I cordially concur with this clause, and if the right hon. Gentleman will give a Return showing the enormous amount of money spent during the last 20 years on post offices it will be valuable information to hon. Members. The right hon. Member has proved his case to demonstration, and everyone who knows anything about this matter knows that it is desirable to have a clause of this kind in all large towns. When a new post office is required in an important street of a large town the Post Office Authorities say, "In justice to the taxpayers of other towns we can only put up a building of a certain character." The Municipality then may say, "We wish to have a handsome street, and in order that the post office may be a credit to it we are willing to contribute part of the cost of the difference between the

two styles of buildings." Very often the Municipal Authorities may desire to have their post office in a situation which the Postmaster General will not feel justified in taking because of its expensiveness. Why, in such cases, should not the Municipality present the site? The Bill is only permissive, and not compulsory. If it were compulsory I should oppose it, but as it is I think it is perfectly harmless. There are many towns applying for new post offices, and if we can facilitate the erection of such post offices we shall be conferring a benefit upon the public.

Question put, and agreed to.

Clause 9 agreed to.

Clause 10 omitted.

Clause 11.

(11.35.) MR. PICKERSGILL: In line 35 I propose to leave out the word "annoy" in order to substitute the word "defraud." The effect of the clause would be to make much more stringent the Criminal Law with regard to post letters. It constitutes a new offence, and that new offence consists of two elements—an act and an intent. The act is opening a post letter which ought to have been delivered to some other person, or doing any act or thing whereby its due delivery is prevented, delayed, or impeded. The other element of the offence is the intent to injure or annoy the addressee. Now, I submit that to make a misdemeanour punishable with six months' imprisonment, the act of opening a post letter with intent to annoy another person, is making a great advance in our criminal legislation, and, I think, dealing with the matter with excessive stringency. I do not like this clause at all, but I am afraid there would be little chance of resisting it altogether, and I, therefore, propose to substitute the word "defraud" for "annoy." I think the Committee will see that the word "annoy" is a word of vague significance, whereas the word "defraud" is much more precise, and makes the offence a much more serious matter. I hope the right hon. Gentleman will be willing to accept the Amendment.

Mr. H. H. Fowler

Amendment proposed, in page 3, line 35, to leave out "annoy" in order to insert "defraud."—(*Mr. Pickersgill.*)

*(11.37.) MR. H. H. FOWLER: I would ask the right hon. Gentleman the Postmaster General to leave this clause out altogether. To make any act or thing whereby the delivery of a post letter is delayed or impeded a misdemeanour punishable with six months' imprisonment would lead to extraordinary results; you might have a father who is aware that his daughter is receiving love letters, and wishes to prevent them reaching her, but if he delays or impedes them he will be liable to prosecution and imprisonment. There are some letters that ought to be delayed or impeded by a father—certain correspondence, for instance, intended for his son. Then, if a letter is delivered to the wrong house, and is opened in mistake, the person so opening it may be held guilty of a misdemeanour. At present this law is confined to servants of the Post Office. If the clause is allowed to stand I shall have a great many Amendments to move to it in Committee. I trust, however, the right hon. Gentleman will decide to abandon it altogether.

*(11.40.) MR. RAIKES: I think I should point out that it is already a misdemeanour to open or delay a letter if this is done by a servant of the Post Office. It is reasonable to suppose that to open a letter to injure or annoy the addressee may be an equally grave offence. The injury which may be done to a person by opening his letter is not always to be measured by the fact as to whether or not something has been stolen. I had an instance before me the other day in which a letter addressed to a Member of this House, who was addressing a meeting in another constituency, was delivered at the wrong club. It was opened by the porter, and then forwarded by that person to another Member of this House, who was engaged in litigation with the hon. Member to whom it was first addressed. It did not refer to politics, but to the litigation then proceeding between those two Members. The porter not only

opened the letter, but forwarded it to the other party in the litigation, with the intention of injuring, or at least annoying. I need not say that the hon. Member to whom it was given at once handed it to the proper person. I maintain that what was done in that case ought to be punishable by law, and I believe that it would be a great advantage to the public if this clause formed part of the Bill. If the right hon. Gentleman the Member for Wolverhampton will confer with me between now and the Report stage of the Bill, with the view of seeing whether any suggestions may be made towards amending it, I shall be happy to meet him; but I sincerely trust that the Committee will think proper to let the clause remain in the Bill. It seems to me that at present it is an absurd and anomalous thing that a person can be punished for stealing 6d. out of a letter, and that we cannot punish a person who may in another way do incalculable injury to the person to whom the letter is addressed. I am afraid that I cannot accept the Amendment of the hon. Member for Bethnal Green.

*(11.44.) MR. T. W. RUSSELL (Tyrone, S).: I was speaking at Stoke-on-Trent some months ago, when a letter was sent to me giving particulars in regard to a libel suit coming on at the Cork Assizes between myself and one of the Members sitting below the Gangway on this side of the House. That letter, addressed to me by my solicitor, was deliberately opened by a clerk of the Gladstonian Liberal Association, who, instead of forwarding it to me, sent it to Mr. Harrington, who, if he had read the letter, would have come into possession of his opponent's case. Mr. Harrington, however, came to me and apologised for the mistake. An act like that of the club official, done deliberately, ought to be punishable.

*MR. BARTLEY (Islington, N.): Another very common case that would lead to injustice under this clause is that of the delivery of letters at the wrong adddress. It occurs to me frequently. Letters are put into my letterbox, and I naturally open them without taking the trouble to read all the addresses. Sometimes there is one intended for somebody else in the same block of buildings, and under this Bill, if that person were litigious and took exception to my action, I might be subjected to very serious trouble in having to prove that I had not intended to annoy him. I think that unless this clause is amended it will lead to serious inconvenience.

*MR. RAIKES: I will agree to the withdrawal of the clause at this stage, reserving to myself the right to move a clause containing something to the same effect on Report.

MR. PICKERSGILL: I withdraw my Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 12.

(11.47.) MR. PICKERSGILL: I do not know how a clause of this kind ever got introduced into a Post Office Bill. Its object appears to be to alter the procedure in prosecutions for sale of adulterated food. The new section provides that it shall no longer be necessary to send samples of food intended to be analysed by registered letter. The precaution of registering a letter is a very wise one, not only in the interest of the accused person, but also in the interest of the prosecution, because it is obvious that if the defence can raise a plausible suggestion that the purchased article has been tampered with, the accused person would escape altogether. At all events, whatever argument might be advanced in favour of the Amendment of the Sale of Food and Drugs Act of 1875, I think such an Amendment is entirely out of place in a Bill of this kind. I cannot understand what has induced the Postmaster General to insert this clause, and I should be glad if he will explain his motives.

*MR. RAIKES: The advisers of the Post Office have been led to believe that there is some doubt whether any article sent under the Food and Drugs Act through the Post Office must be registered. It is intended to set at rest any controversy on the subject, and to make it clear that such an article need not be sent in a registered letter.

MR. PICKERSGILL: Do I understand that this is to be so when the article is forwarded as a condition precedent to a criminal prosecution?

*MR. RAIKES: That will be so.

MR. PICKERSGILL: This House in 1875 thought it advisable to secure that this precaution should be taken, and, therefore, I think it is rather too much for the Postmaster General in a Departmental Bill to propose what is in effect an alteration of the Criminal Law.

(11.50.) Question put, "That the Clause stand part of the Bill."

The Committee divided:—Ayes 113; Noes 48.—(Div. List, No. 330.)

(11.59.) MR. CHANNING (Northampton, E.): I should like to ask the Postmaster General whether he will accept the clause suggested by my hon. Friend the Member for Westbury (Mr. Fuller) with reference to the rural authorities?

*MR. RAIKES: I think we can accept something in that direction if the hon. Gentleman will put it down on Report.

Bill reported; as amended, to be considered upon Thursday, and to be printed. [Bill 405.]

CONSULAR SALARIES AND FEES BILL. (No. 398.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed to-morrow.

STATUTE LAW REVISION BILL [LORDS].—(No. 336.)

Read a second time, and committed to a Select Committee.

Mr. Ambrose, Mr. Asquith, Mr. Bryce, Mr. Coghill, Mr. Elton, Mr. T. M. Healy, Mr. Howell, Mr. Solicitor General, and Mr. Whitley nominated Members of the Committee.

Ordered, That Three be the quorum.—(*Mr. Solicitor General.*)

RANGES [PAYMENTS].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament for Army Services, of any sums required for the repayment, in certain cases, of money borrowed for the purchase of land under any Act of the present Session to facilitate the Acquisition of Ranges by Volunteer Corps and others.—(*Mr. Jackson.*)

Resolution to be reported to-morrow.

LABOURERS (IRELAND) ACTS AMENDMENT BILL.—(No. 55.)

Considered in Committee; Committee report Progress; to sit again upon Thursday.

WILD BIRDS PROTECTION ACT (1880) AMENDMENT BILL.—(No. 213.)

Read a second time, and committed for to-morrow.

YOUTHFUL OFFENDERS (ENGLAND AND WALES) (FIRST SENTENCES).

Address for—

"Return of the number of Lads and of Girls between 16 and 18 years of age, and between 18 and 21 years of age, sentenced to imprisonment in England and Wales during 1890, and not known to have been previously convicted, and the average duration of such sentences in the several jurisdictions." — (*Mr. Howard Vincent.*)

MR. DE COBAIN (STATUTORY DECLARATIONS).

Copy ordered—

"Of Statutory Declarations as to the action of Mr. De Cobain and his Attorney in regard to a Warrant issued against the former."—(*Mr. Attorney General for Ireland.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 315.]

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 7th July, 1891.

MAIL SHIPS BILL.—(No. 197.)

Returned from the Commons with the Amendments agreed to.

TRUSTEE BILL.—[H.L.]—(No. 72.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 213.)

BILLS OF SALE ACT (1890) AMENDMENT BILL.—(No. 159.)

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 160.)

Reported from the Standing Committee without Amendment; and Bills to be read 3ª on Friday next.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 203.)

Reported from the Standing Committee without further Amendment: The Report of the Amendments made in Committee of the Whole House to be received on Friday next.

FORGED TRANSFERS (No. 2) BILL. (No. 204.)

Reported from the Standing Committee with further Amendments: The Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 214.)

SCHOOLS FOR SCIENCE AND ART BILL. [H.L.]—(No. 193.)

Reported from the Standing Committee, with an amendment: The Report thereof to be received on Friday next.

MORTMAIN AND CHARITABLE USES AMENDMENT BILL [H.L.], *now* MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL [H.L.].—(No. 210.)

Reported from the Standing Committee with further amendments: The Report of the amendments made in Committee of the Whole House and by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 215.)

ALLOTMENTS RATING EXEMPTION BILL.—(No. 184.)

Reported from the Standing Committee without amendment; and to be read 3ª on Friday next.

LUNACY BILL [H.L.]

A Bill to amend the Lunacy Act, 1890—Was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 216.)

STAMP DUTIES BILL.—(No. 217.)

STAMP DUTIES MANAGEMENT BILL.—(No. 218.)

Brought from the Commons: Read 1ª, and to be printed.

PENAL SERVITUDE BILL.—(No. 205.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD DE RAMSEY: My Lords, in moving the Second Reading of this Bill I do not propose to call your attention to many of the details, which are of a very intricate and technical character, and which are chiefly for Departmental convenience. I propose to ask your attention very shortly to two or three of the most important provisions in this Bill. The most important part of it is the first clause, which is virtually a proposal to reduce sentences of five years' penal servitude to three, going back to what it was in former days. Your Lordships will doubtless remember that about the time there was a great increase of crime, chiefly garotting, it was raised from three years to five. It is now proposed to go back to three. It is generally admitted, I think, that every year passed in prison is unfair to the prisoner, in so much that part of his sentence may be unnecessary where a smaller sentence would have sufficed. It is perhaps hard also upon those who have to sentence that prisoner to feel themselves obliged by law to inflict a more severe sentence when a more lenient one would answer the case. It is naturally also a great pecuniary loss, because it stands to reason that if a three years' sentence is sufficient, one of five years is a loss of

money to the country. Take it in this way: say 300 prisoners have been sentenced to five years' penal servitude, and the same number in equal proportions to three and four years a piece; first of all the prison population would be reduced by 450 prisoners, and taking them at £25 a head, the saving would be at least £11,000 per annum. That is the most important part of the Bill. The date in Section 4 of the first clause is inserted with the object of not clashing with the Assizes. I must call your attention now to the second clause. The memoradum prefixed to the Bill is not correct as regards this second clause. That memorandum as it stands is in the form in which it was submitted to the other House, and this is the only clause that has been altered. With regard to Clause 8 great pressure has been used in certain quarters to adopt the system which is called anthropometric, and which is chiefly, I think, used by the French. It does not appear altogether clear that the new system has been approved of by our own Police Authorities or by our Prison Authorities; but it is proposed to try the system. It is really the measurement of those parts of the body which are not subject to change with years, particularly the length and breadth of the head, the length of the foot, the length of the forearm, and the length of the fingers. I think that is all I need call your Lordships' attention to in this matter. The Bill, as I have said before, is in the larger portion of it chiefly for Departmental convenience. I have alluded to the two most important points of it, and I ask your Lordships to give it a Second Reading.

Moved, "That the Bill be now read 2ª." —(*The Lord de Ramsey.*)

Lord NORTON: It does not appear that there is going to be much debate upon this Bill, and I cannot conceive anybody opposing the greater part of it; but I hear there is to be a debate raised on going into Committee by some noble Lords who are unable to attend to-day. I only wish to say one word upon it. I took some part in the substitution of penal servitude for transportation when colonisation had rendered that old form of punishment rather a good speculation than a punishment at all. I have always thought, as I said at the time, that a great mistake was made in measuring the terms of penal servitude by the terms of the old punishment of transportation which had nothing in common with it, and the number of Acts which have been passed since based upon the Reports of a series of Royal Commissions upon the subject prove that that was a mistake. This Bill itself, as the noble Lord has said, is chiefly to remedy a defect in one of those Acts, namely, that of 1864, which was based upon the report of the Commission of the previous year 1863, and passed in a panic about the increase of a certain class of crime at the time, which it was thought better to meet by increasing the severity of the punishment of penal servitude, and the minimum term was then altered from three to five years, but the great mischief of that alteration was not in dealing with the length of the sentence, but the making a gap in the series of punishments. That was the main fault which this Bill is proposing to remedy. A hiatus was made in the gradation of punishment with the most seriously mischievous results. There was a great gap in our Criminal Code, between the highest sentence of imprisonment and the minimum sentence of transportation, which rendered it constantly necessary for Judges either to give a smaller sentence than they thought the case deserved, or as happened in many cases, a larger sentence. Every Judge has complained of that gap in our series of punishments as a very great mischief; and the only fault I would find with the Government in the matter, is that they have not introduced this Bill before, for I believe it has been drafted for several sessions—indeed, I know it has; and during that time we know that very considerable mischief has occurred from this gap in the series of secondary punishments. For myself, I believe that the gradation of terms of years would be much better left free, so that a Judge should be able to impose any number of years' imprisonment between a minimum and maximum, and that there should not be an interval fixed between one term and another. Considering the great variety of circumstances in which crime comes before the Judges, it is almost impossible for them

to adapt a rigid scale of punishments to the offences. I believe, also, that I am quoting Sir C. Du Cane's opinion in saying that we should get rid of the phrase of penal servitude altogether, for penal servitude is nothing more than a long term of imprisonment with hard labour. There is really no difference except that there is a further stage of labour on public works, which is a necessary arrangement for prolongation of the sentence. But the distinction is bad, and the public do not understand the difference between a sentence of penal servitude and imprisonment, the two being, in fact, the same except as regards the length of the sentence. At all events, I think everybody will agree that the two should be assimilated in the period of separate confinement. In the case of penal servitude, nine months are separate confinement, and in the case of imprisonment two years. That is a difference which is without any reason, and anything which makes the law unintelligible renders the system of punishment not only faulty, but hardly justifiable. A punishment should be at least intelligible to the public and to the Judges who have to inflict the sentences. I will only say one word on the length of sentences, because this Bill does not deal with that subject, but is a measure simply dealing with the gradation of sentences. A long sentence of penal servitude is not more deterrent on account of great length, but is far less deterrent on that account, because everybody knows that these long sentences are always to a greater or less extent remitted. That gives an element of uncertainty to them, and if there is anything which weakens a punishment and renders it ineffective it is uncertainty. Then there is not only uncertainty in length of punishment, but it is so indefinite and indistinct that no one realises when a sentence of penal servitude is passed what it means; it is not realised either to the mind of the Judge himself, or by the convict upon whom the sentence is passed. Exemplarity becomes entirely lost. Keeping a man long detained in the artificial life of a prison by way of forming or reforming his character and fitting him for life in the world afterwards is simply a total delusion. I only want now to add one remark upon the last clauses in the Bill, which were referred to by the noble Lord. I think the provisions relating to the system of licenses and supervision by the police of discharged prisoners are a total mistake. The system has proved to be very useless, and this Bill proposes to strengthen and amend that system. What would be far more effectual for the purpose would be the more complete establishment, and inter-communication of Discharged Prisoners' Aid Societies. That is the best way to deal with discharged prisoners; but the plan which we have lately adopted of discharging prisoners upon licence, and under the supervision of police, positively destroys the good effect of the punishment, and places the man in a position in which he can hardly succeed. Keeping up in a discharged prisoner's mind the connection with his past crime is in itself a fault, and making him report himself from time to time, and constantly to give notice of his whereabouts to the police, must have bad effect. Obtaining employment is the principal object we should have in dealing with discharged prisoners. The whole system of licensing and supervision by the police over prisoners on their discharge is calculated to stereotype a criminal class in this country. The last clause, on the subject of photography, was particularly alluded to by the noble Lord in moving the Second Reading. I think your Lordships should be furnished, in the first place, with some little information whether any good has ever been got out of that large and beautiful collection of portraits in Scotland Yard. There are upwards of 100,000 photographs of discharged prisoners. As if any clever prisoner need allow himself to be accurately photographed! Not only may these photographs be useless, but positively dangerous, for I remember a case where a man was hooted all the way from John-o'-Groat's house to London, because he happened to be like the photograph of a convict, and it was not until his arrival in London that the real man was found. This clause proposes to increase the number of photographs by adding to them those of unconvicted prisoners. The noble Lord has told us also that the prisoners are to be measured, their

height, the length of their feet and arms, and other portions of the body. Is that because the photographing has been found to be useless? I do think it is high time some stop should be put to proceedings so utterly absurd as these. I know that the points I have last alluded to are points to be dealt with in Committee; a discussion will, I believe, be raised on the subject upon the Bill going into Committee, and I have great hope that this last clause will then receive very considerable amendment.

*Lord DE RAMSEY: I should like to say one word in reference to the last remark of the noble Lord. The object of introducing this anthropometric system is to endeavour to correct the system of photography where it has been found to fail. I cannot agree with the noble Lord's remark that the photographing of criminals is an absurdity. The Secretary of State, in the other House, in answer to a question relating to this matter said this—perhaps it will be better that I should read the question put to him first—

"Mr. Salt asked the Secretary of State for the Home Department whether any decision had been arrived at as to the use and advantage of the anthropometric system in this country?"

The answer is—

"Careful inquiry has been made into this subject, and reports have been obtained from the French Government showing the working of the system in France. I have consulted the prison and police authorities in this country, and they are of opinion that under the present system the proportion of prisoners who are not recognised is so small that the necessity for any change is not by any means established. The proportion is estimated at 2½ per cent."

If there are only 2½ per cent. that are not recognised, I think the system of photographing prisoners cannot be said to have been found either a failure or an absurdity.

On Question agreed to.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Tuesday next.

House adjourned during pleasure; and resumed by the Earl of Morley.

PUBLIC HEALTH (LONDON) BILL.

(No. 201.)

SECOND READING.

Order of the Day for the Second Reading, read.

*The SECRETARY OF STATE FOR INDIA (Viscount Cross): My Lords, I have to ask your Lordships to give a Second Reading to the Public Health (London) Bill. It is a Consolidation Bill, and also an Amending Bill of the present law. Your Lordships will, I think, be of opinion it is high time that the various Acts were consolidated, because the law, so far as the public health of London is concerned, is contained in no less than 29 different Acts of Parliament, and there are very few people, except those whose duty absolutely it is to administer the law, who are really able easily to find out what the law is on the subject. I think your Lordships will also be of opinion that an Amending Bill is necessary. It so happens that in the provinces they have the advantage of the Public Health Act of 1875. That Act did not apply to London, and, up to the present moment, a very great number of useful provisions of the Act of 1875 are wanting in the protection of the public health in London. Therefore, I hope I have satisfied your Lordships that a Consolidation Bill is necessary, and also that an Amending Bill is necessary. When my right hon. Friend the President of the Local Government Board introduced this measure to the other House of Parliament, he very wisely divided the Bill into two. The Amending Bill contained Amendments pure and simple, and the Consolidation Bill was for consolidation purposes pure and simple. But when the Bills went before the Standing Committee of the other House of Parliament they were then, according to the Instruction given them, consolidated, and that is the shape in which the Bill now appears before your Lordships' House. I trust your Lordships will not expect me at the present moment to go through all the details of this somewhat formidable measure; but I have given instructions that the Bill shall be printed in such a way that your Lordships will be able to see how much of the old law has been repealed, and by all the new

matter being printed in italics your Lordships will be able to see at a glance what are the new and amending provisions which it is proposed to introduce into the present law. This Bill touches a great many points. There are Amendments as to the removal of nuisances, by which the law is very much strengthened; as to the offensive trades which are carried on in London; as to the Smoke Acts which are now made to extend all over London, instead of exempting part of London as they do at present; as to the workshops and bakehouses; as to the removal of all refuse—perhaps it may interest your Lordships to know that the House of Commons determined that the burden of keeping clear the footpaths before your houses is now shifted from the owner, they insisted upon putting that upon the Local Authorities, so that the removal of snow will no longer be an obligation upon the householder; as to unsound food; as to the water supply—so that we shall no longer allow occupied houses to be without an adequate supply of water, for the future that becomes an absolute public nuisance, so that persons may be brought before a Magistrate for it. Then, very good provisions are made with regard to infectious diseases, so as to ensure that persons suffering from infectious diseases shall not be able to spread those diseases from which they suffer to others; as to hospitals, in regard to which there is one rather important provision, namely, that there can be no recovery made by an hospital of the cost of the maintenance of persons in the hospital; as to the supply of mortuaries, and making bye-laws for specially dealing with places which are very much required in order to do away with that which is undoubtedly a disgrace to a great city like London, namely, the existence of underground rooms such as are to be found at the present moment, and which would not be tolerated in any other civilised country; as to Sanitary Inspectors—and in that direction large powers are given for the enforcement of the law. In this Bill, I am glad to say, it is proposed to do one thing which certainly did not exist before, namely, to make a Sanitary Authority themselves liable, if they commit a nuisance, to be brought before a Magistrate and punished, just like any individual person who commits a nuisance. It is all very well for a Sanitary Authority to act as it thinks right; but if the Sanitary Authority, in carrying out its methods, really itself becomes or creates a nuisance, it is quite proper that that Sanitary Authority should suffer accordingly. The details of this clause are no doubt very important, but they are certainly not such as to induce me to trouble your Lordships with any narrative or description of them on Second Reading. It may, no doubt, be said this is, after all, a very simple matter, that it is simply a Consolidation Bill with some Amendments, but I am bound to say that it is a measure which has taken a vast amount of trouble to draw, and I think it reflects the greatest credit on my right hon. Friend the President of the Local Government Board and upon the staff of the office over which he presides. The clauses are simple. You may say the effect of each particular clause is not much; but I am quite certain, from the attention I have given to it, and from the attention I have paid generally to this subject of health in large towns, that if your Lordships pass this Bill as it is presented to you to-day, the effect of it will be great, and the health of this great Metropolis will, I am sure, be very much improved by its passing into the Statute Book. I beg to move that the Bill be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Viscount Cross.*)

*EARL FORTESCUE: As a sanitary reformer of now nearer 50 than 40 years' standing, I must congratulate Her Majesty's Government and this vast Metropolis upon this Bill, the Second Reading of which has been moved with his usual lucidity by the noble Viscount. It exceeds in its comprehensiveness and effectiveness anything I had ventured to hope for, and I speak not only as, during part of the year, a resident in London, but as having a particular interest in the sanitary concerns of the Metropolis: for not only had I the honour for some years of representing one of the very largest Metropolitan constituencies, but for years I was a member of, and acted upon successive Metropolitan Commissions of Sewers, and, latterly, by the kindness of my distinguished colleagues, comprising such men as Sir John Burgoyne,

Sir Henry de la Beche, Mr. Robert Stephenson, Mr. Rendel, and others, I had the honour of being Chairman of that body. Before I quit the main subject of the Bill I must bear my strong personal testimony to the immense service which will be rendered by the consolidation of the Public Health Law in London. I will not say that when I had the honour of acting on the Metropolitan Commission of Sewers there were as many as 29 sanitary Statutes dealing with the health of the Metropolis; but this I know, that the labours of the Commission and the labours of their officers were immensely augmented by the necessity of consulting such a multiplicity of Statutes so various, and some of them, as we occasionally found, somewhat conflicting with one another in some of their provisions—happily not many. It reminded me of the preface to the Prayer Book, which speaks of the book called the "Pye," if I remember right, and of the much greater difficulty of ascertaining from it what ought to be read at Divine Service, than of reading what was ultimately ascertained to be the proper service of the day. But with regard to the detailed provisions of the Bill, I would only detain your Lordships for a moment with observations on two of them which seem to me to involve important principles. Last Thursday I presented to your Lordships a Petition emanating from a very useful and constantly increasing body—the Association of Sanitary Inspectors of Great Britain. In that they earnestly pray, I think most justly and reasonably, that the protection extended by this Bill to the Medical Officers of Health may be extended also to them in the discharge of their subordinate, indeed, but very important, and necessarily often, invidious public duties. The Sanitary Authorities under this Bill are, with one exception only, that of Woolwich, the different Vestries of the Metropolis. I have spoken of my experience on the Commission of Sewers. We there found that on such local administrative bodies it was the practice of owners of insanitary but highly-rented dwellings to get themselves, if possible, placed, and then, by their constant attendance and diligent attention — not wholly disinterested—to the business of the Board they frequently obtained a good deal of

Earl Fortescue

influence, and it was no light matter for any person employed under them to offend those influential persons who were interested in the maintenance of things as they were, instead of desiring to incur expenses in effecting improvements which were absolutely required for the health of their unhappy tenants, but involved a certain amount of expenditure. I venture to think that these Sanitary Inspectors to be appointed under this Consolidating and Amending Act ought, not only for their own advantage, but quite as much for the sake of the public interest, to be protected in the discharge of their duties. Their president who is a very eminent sanitary reformer, says—

"Their case is a hard one, for they who are the acting men and who have to carry out the orders which are so objectionable"—

objectionable very often to the degraded tenants and occupiers, as well as to the owners of insanitary dwellings—

"They feel first and foremost the penalties of the dislike which they obtain for themselves by the fearless and zealous discharge of their duties."

He goes on to say—

"They are the police of good health, and in doing their duty should fear no evil for good work faithfully executed."

In Committee I shall venture to introduce words extending to them as I have said, for the public interest quite as much as for their own, the same protection which is wisely given to the Medical Officers of Health, and I may add that this protection is one which, under the original Poor Law of 1834, was extended for analogous reasons to relieving officers, and has been maintained with great advantage to the public ever since. The other point which I would mention is this; one of the clauses requires that "competent and properly qualified persons"—I think those are the words—shall be appointed to posts as Sanitary Inspectors, and I should venture to propose that they shall be compelled either to show that they have served, and satisfactorily served, for a certain time as Sanitary Inspectors in the Metropolis, or as Inspectors of Nuisances in the Metropolis, or in other large towns of above 20,000 inhabitants; or that they should produce certificates of being duly qualified. I do not propose that these should be exacted at once, but after an

interval of two or three years, and that the certificates produced by them should be those given by the Sanitary Institute, which has been very efficiently carried on, as may be judged when I mention the names of Sir Douglas Galton and Professor Corfield as among the examiners on sanitary subjects, for some years. I may mention that already more than 70 Sanitary Inspectors hold those certificates and that more are constantly obtaining them in consequence partly of their own zeal, but partly owing to the requirements and encouragement of different Local Sanitary Authorities who, in various instances, have promised, and have given as much as 5s. a week additional salary to their Inspectors, on the production by them of the certificates which they have obtained at examination. Instead of the vague words, "competent and properly qualified," I would suggest a provision that they should obtain certificates either from the Sanitary Institute or from any other body selected *ad hoc* by the Local Government Board. I need not trouble your Lordships with any more words, but it is a great satisfaction to me to see, after a number of years, that the benefit of that consolidation of public health legislation which, thanks to my noble Friend Lord Norton—I think it was he who introduced the Bill in 1875—was extended then to the provinces, is now to be extended likewise with Amendments to this great Metropolis.

THE EARL OF ABERDEEN: My Lords, I beg to give notice that in Committee I propose to move an addition to Clause 16, giving certain powers to the London County Council with regard to securing the proper ventilation and free circulation of air in buildings.

*LORD BASING: I am very glad to find that the time has at last come when the Public Health Law as regards London, is to be subjected to a similar process of consolidation to that which was very successfully carried out for the rest of England in Parliament 15 years ago. At that time London was, in some respects, in advance of the rest of the country as regards powers for the removal of nuisances and other kindred powers for ensuring the public health, but after the passing of the Act to which I allude, London was manifestly behind hand in many important matters. I endeavoured two or three years later to get the House of Commons to agree to the consolidation of the Public Health Law in London, but the adverse influences were at that time too many for me, and the measure did not pass into law, although it contained little but provisions for consolidation and amendment. I am glad to find that matters have now improved, and that influences which were then adverse have become favourable to such a measure, which I am sure can be productive of nothing but good. In reference to the subject to which my noble Friend last alluded, I also have been impressed with the view that the time has now arrived when persons discharging the very responsible duties of Inspector of Nuisances and so forth, should be subjected to some examination which would certify to their competency for the work they have to discharge. I am very glad to hear that the same view prevails in the noble Lord's mind, and I hope we may have an opportunity when this Bill is in Committee of proposing some simple Amendment which will carry that proposal into effect, and attach it to the present consolidation of the law. I have given notice of my intention to propose such a clause, and I hope that I, or some other Peer, may be permitted to carry such an Amendment.

*VISCOUNT CROSS: My Lords, I desire to consult the convenience of the House as to when this Bill should go down to Committee. It would have to go through Standing Committee either on Tuesday or on Tuesday week. I do not know whether the noble Lords who have shadowed out Amendments would like best to introduce them in Standing Committee, because, of course, if not, and if the Amendments are to be touched in Committee of this House to any extent, I shall have to ask for a free night; but if they are to be moved in Standing Committee, I will put the Bill down *pro formâ* for Monday, so that it might go before the Standing Committee on Tuesday next. If that is the wish of the House I will do it; if not I must take Tuesday week for the Standing Committee.

*EARL FORTESCUE: I should be inclined myself to think that the Standing Committee would deal more satisfactorily with detailed Amendments than could the Committee of the whole House.

I am not a member of the Standing Committee, but I would bring up my Amendments and have them printed. I should be quite satisfied with that.

LORD HERSCHELL: Of course, the noble Earl would be put on the Committee for this purpose.

*VISCOUNT CROSS: Then I will put the Bill down on Friday for the purpose of going before the Standing Committee on Tuesday next.

On Question, agreed to.

Bill read 2ª accordingly, and committeed to a Committee of the Whole House on Friday next.

MUNICIPAL REGISTRATION (DUBLIN AND BELFAST) BILL.—(No. 200.)

House in Committee (according to order): Bill reported without amendment; and re-committed to the Standing Committee.

House adjourned at twenty minutes past Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 7th July, 1891.

QUESTIONS.

DISTRESS IN MADRAS.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether the attention of the Government has been drawn to the distress among the Pariahs, or low-class agricultural population, of Chingleput; whether he can give any information regarding the amount of that distress, and whether their lamentable condition is chronic in its nature; whether any measures have been adopted by the Government of Madras to ameliorate their condition, in addition to what is being done to deal with the distress caused by the famine; whether the Government have appointed any Commission to inquire into the distress; and whether the low caste population can acquire waste land for cultivation, like the caste Mirassidars or leaseholders?

Earl Fortescue

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In reply to the first paragraph of the question of the hon. Member, I have to say that the present distress has attracted the attention of the Madras Government to the condition of the poorer classes in Chingleput. A careful statistical survey is being made of each district in Madras. The Chingleput district will be taken up soon, and inquiry will be made into the condition of all classes of the people. At the Inquiry of 1887-88—the results of which are given in the "Condition of the People" Return, presented in June, 1889—it was stated that Chingleput, owing to its infertile soil and to certain accidents of tenure, was among the most backward parts of the Madras Presidency. In reply to the second paragraph of the question, I may say that the Report on the Inquiry of 1887-88, referred to above, says—

"The mass of the (Chingleput) people, who are mostly agriculturists, live from hand to mouth, and in adverse seasons are seriously hampered. . . . The wages of an agricultural labourer's family are put at about 10 rupees a month all told. . . . The demand for all kinds of industrial labour other than weavers is increasing, while unskilled labour is, owing to the vicinity of Madras, everywhere better than it used to be."

The answer to the third paragraph of the hon. Member's question is that no special measures for the general improvement of the Chingleput people have been undertaken, beyond the repair of tanks and channels for irrigation. Extensive measures have been taken, and are being carried out, for the relief of distress caused by the recent failure of rain. No Commission has been appointed to inquire into the distress. The answer to the last paragraph of the question is that there is no bar, either of law or of practice, to low caste people obtaining and cultivating available waste lands on the same terms as high caste people.

INDIA COUNCIL BILLS.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Under Secretary of State for India whether the India Council have sold bills on India to the extent of nearly £6,000,000 up to the end of June, namely, the first quarter of their financial year, whereas the proportionate amount of their year's drawing, esti-

mated by them at £16,000,000, should have been only £4,000,000; and in view of the fact that the rate obtained has been on an average about 2 per cent. below that estimated in their Budget, that the price of silver during most of the time has been far above the parity of the Indian exchange realised for these bills, and that the present rate of exchange is about 5 per cent. above the rates accepted by the Council for a large portion of their drafts on India during the last three months, whether he can give any reason for selling at such low rates half as much again than the amount required in the past quarter?

*SIR J. GORST: The answer to the first question of the hon. Member is in the affirmative. £5,976,112 were sold in the first quarter of the financial year. In reply to the second paragraph of the question, I have to say that owing to the requirements of Indian trade it is necessary to sell much the larger proportion of the bills in the first and the last quarters of the financial year. Within the last few weeks the amount offered for public tender has been reduced from 45 to 30 lakhs a week.

ROBBERY OF JEWELS AT HYDERABAD.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for India whether certain natives from Hyderabad, in the Deccan, have lately been arrested in Bombay and brought before the Chief Magistrate on a charge of being concerned in a great robbery of jewels at Hyderabad in the year 1884; whether the British Resident at Hyderabad has applied to the Bombay High Court to have the case transferred for settlement to Hyderabad, where the owners of the jewels have been trying in vain for several years to obtain justice; and whether it is within the province of the British Resident at a Native Court to interfere in such a matter?

SIR J. GORST: The Secretary of State has no information upon this subject. The question will be transmitted to the Government of India in the ordinary course.

THE LOSS OF THE *FREDA*.

SIR E. GREY (Northumberland, Berwick): I beg to ask the President of the Board of Trade whether he is aware that the Receiver for Wrecks refused to allow the purchaser of the brig *Freda*, wrecked near Craster, in Northumberland, in April, to touch the vessel till the captain's deposition fee had been paid; and whether it is the usual practice for such fee to be paid by the vendor and not the purchaser of a wreck; if so, whether it would have been contrary to his general rule for the Receiver for Wrecks to have allowed the purchaser of the *Freda* to dispose even of a part of the vessel?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The *Freda* broke up and sank in deep water. Some property, including anchors and chains, came into the Receiver's hands, and this property was sold by the owner, subject to all charges against it, and the Receiver refused to deliver it to the purchaser till these charges, which included a deposition fee, were settled. This is the usual practice of the Receivers, whether the wreck has been sold by the original owner or not, and is necessary, because the legal remedy is against the property only, but it is the practice to detain only sufficient property to reasonably cover the claims, and that practice was adhered to in this instance.

COMMERCIAL TREATY WITH CHINA.

MR. WOODALL (Hanley): I beg to ask the Under Secretary of State for Foreign Affairs whether there has been any and, if so, what change in our commercial relations with China, consequent upon the expiration in April last of the term of ten years specified in the Commercial Treaty with that country?

THE UNDERSECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No notice has been given on either side for the revision of the existing Commercial Treaty between this country and China, and it will therefore remain in force as it stands for another period of ten years from the 24th of April last.

MARRIAGES IN FOREIGN COUNTRIES.

MR. WOODALL: I beg to ask the Under Secretary of State for Foreign Affairs whether any decision has been arrived at in regard to the issuing of Orders in Council determining the conditions under which, and the mode in

which, marriages are solemnized in accordance with the Law of a foreign country may be registered by British Consuls; and in the event of any amendment of the Act of 1890 being necessary, when is it proposed that a Bill for that purpose will be introduced?

SIR J. FERGUSSON: I am afraid that I cannot answer this question to-day. Perhaps the hon. Member will be good enough to put it off until Thursday.

MARRIAGE OF BRITISH SUBJECTS IN THE GERMAN EMPIRE.

MR. WOODALL: I beg to ask the Under Secretary of State for Foreign Affairs whether any, and if so what, difficulties exist under the *lex loci* of the German Empire, which prevent the marriage of British subjects under the provisions of "The Marriage Act, 1890?"

SIR J. FERGUSSON: On the 22nd February, 1890, Her Majesty's Ambassador at Berlin was officially informed that it was not permissible, in accordance with legal regulations, for a British Consul to perform a marriage within the limits of the German Empire; and that these regulations could not be altered.

DEEDS OF APPRENTICESHIP.

MR. MONTAGU: I beg to ask the Chancellor of the Exchequer what was the amount of Revenue during the past financial year derived from Stamps on Deeds of Apprenticeship?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The amount of Revenue derived from Stamps on Deeds of Apprenticeship cannot be ascertained, since there is not a special stamp appropriated to such instruments. The amount is included in the yield of "General Deed Duty."

SPICER'S CHARITY AT COLLUMPTON.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther), as representing the Charity Commissioners, whether he is aware that 48 acres of land, called Spicer's Charity, situate at Collumpton, Devon, the annual income of which is devoted to apprenticing poor boys, have been let on lease without having been previously offered to the public or to the labourers of the district, under "The Allotments Extension Act, 1882"; that the lease was granted at a rental reduced from £80 to 70, to the diminution of the usefulness of the Charity, and in spite of the protests of the senior Trustee; and whether such lease can be cancelled, and the land offered to labourers and cottagers, under "The Allotments Extension Act, 1882"?

MR. J. W. LOWTHER (Cumberland, Penrith): The land referred to in the hon. Member's question was let in 1874 for a term of 14 years at a rent of £80. It was re-let to the same tenant in 1888 at a rent of £70, the Trustees considering the reduction to be reasonable in view of the general agricultural depression. The Commissioners have received no protest from the senior Trustee on the subject of the new lease. The land not being subject to the provisions of the Allotments Extension Act, 1882, it was not incumbent on the Trustees to take proceedings for letting it to labourers in allotments; and the Commissioners are not aware of the existence of any power to disturb the present tenancy.

DEATH OF MR. COLLINS, COASTGUARD OFFICER.

SIR E. GREY: I beg to ask the First Lord of the Admiralty whether an inquiry has been made into the circumstances attending the death of Mr. Collins, late Coastguard officer at Newton by the Sea, Northumberland, in March; whether the medical evidence is to the effect that Mr. Collins's death was caused by exposure while discharging his duty in the months of November and March; and what relief in the form of a pension, or otherwise, can be given to his widow?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Admiralty have satisfied themselves that the death of the late Mr. Collins was caused by extraordinary exposure while on duty. His widow has accordingly been awarded a special pension of £30 a year for life.

SOLDIERS IN UNIFORM.

VISCOUNT WOLMER (Hants, Petersfield): I beg to ask the Secretary of State for War whether he has seen the statement in the *Army and Navy Gazette*, of 27th June, that

"A clergyman lately visited Shorncliffe to see a young gentleman of his acquaintance who had enlisted in the hope of obtaining a commission. He walked with his young friend to Folkestone, and presenting himself at the entrance of an hotel, ordered luncheon for two. He was refused admission to the coffee room on the plea that his young friend was a soldier in uniform;"

and, if so, whether he proposes to take any steps in the matter?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I can assure my noble Friend that I fully sympathise in the indignation he feels that any slight should be put upon any man on account of wearing Her Majesty's uniform; but hotels are subject to the general law of the land, and I have no power to interfere in their management.

VISCOUNT WOLMER: Is it not within the power of the right hon. Gentleman to bring the matter before the Bench at the annual renewal of licences?

*MR. E. STANHOPE: I will consider that question.

GUNS FOR THE DEFENCE OF TABLE BAY.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for War whether he has observed a letter published in the *Daily Graphic* of 6th July, and purporting to be written by the noble Lord the Member for South Paddington (Lord R. Churchill), in which it is stated that a number of seven ton muzzle loading guns, which have been discarded by the Navy, and are deemed obsolete by expert artillerists, have at a great expense been sent out and mounted for the defence of Table Bay and Simon's Bay, and that, although the garrison of Cape Town only amounts to 1,300 men, a staff equal to the requirements of 20,000 is maintained; and whether these statements are correct; and, if so, whether he can give any explanation of this apparent waste of Public Funds by the War Office?

*MR. E. STANHOPE: Neither of these statements is correct. The muzzle-loading guns in question were sent out in 1877-78, being the only guns then available. They were not obsolete, and even now they form a good auxiliary armament in addition to the heavy breech-loading guns. Looking to our vast responsibilities in South Africa, the staff maintained at the Cape is certainly not in excess of our requirements.

THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether the understanding that has been arrived at in respect to the *status quo* in the Mediterranean, between this country and Italy, has been communicated to France and the other Great Powers having possessions on the Mediterranean; and whether Italy has been made aware that an understanding which has been come to between Her Majesty's Secretary of State for Foreign Affairs and a Foreign Government, which is not communicated to Parliament, is only binding, so far as this country is concerned, on the Minister who comes to that understanding?

SIR J. FERGUSSON: In answer to the first question of the hon. Member, I have to say that communications have from time to time passed between Her Majesty's Government and the French Government with respect to questions affecting the *status quo* in the Mediterranean, but they are not suitable for public discussion. As to the second question, I have no doubt that the Italian Government are well acquainted with the Constitution of this country, but we have had no occasion to express any opinion to them on the point raised by the hon. Gentleman.

MR. LABOUCHERE: Then am I to understand that the French Government are in possession of the understanding which the right hon. Gentleman says has been arrived at between this country and Italy as to the *status quo* in the Mediterranean?

SIR J. FERGUSSON: The hon. Member must not understand any more than I have said.

MURDER OF A BRITISH SUBJECT IN MACEDONIA.

MR. JACOB BRIGHT (Manchester, S.W.): I beg to ask the Under Secretary of State for Foreign Affairs whether he has seen the following statement from the *Pharos of Macedonia*, with

regard to the murder of a British subject in Macedonia:—

"The body of Mr. Basil Capreel, a naturalised British subject, was found beside the railway line between Salonica and Bodina on 19th June. The body was horribly mangled by rifle shots and sword cuts. No reason can be assigned for this crime, nor has any clue as yet been discovered to the perpetrators of the murder, although some carriers from Bodina have been arrested on suspicion. The deceased had left Salonica on the 16th for Bodina, where he was engaged in business, and nothing was heard of him until the following Friday, when his dead body was found. As the deceased was a naturalised British subject, the interpreter at the English Consulate at Salonica has examined the body and taken notes of the state in which it was found;"

and whether he will inform the House what steps have been taken by the Consul of Salonica or otherwise to discover and punish the murderer?

SIR J. FERGUSSON: Certain arrests have been made of persons suspected in connection with this case, and Her Majesty's Acting Consul General is watching it.

EVENING SCHOOLS IN WALES.

MR. T. ELLIS (Merionethshire): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the almost universal insistance by Her Majesty's Inspectors and Assistant Inspectors in Wales of the need of evening schools and of the peculiar facilities afforded by many Welsh districts for the formation of evening classes for instruction in agricultural chemistry, geology, navigation, and similar subjects; whether the establishment of advanced elementary schools in Cardiff, Swansea, Ystrad, Gelligaer, Merthyr, and Festiniog has been attended by marked benefit to the elementary schools of the districts where they are situated; and whether, in view of the fact that the Elementary Education Bill will confer upon School Boards and school managers in Wales and Monmouth a sum of £20,000 in excess of the present income from fees, he will appoint a Departmental Committee, similar to the Committee on Welsh Intermediate and Higher Education of 1881, to inquire and report whether and how far a portion of this sum may be utilised for the establishment of evening schools, of advanced elementary schools in industrial towns, and for the appointment of organising and peripatetic teachers of class and specific subjects more especially in the rural districts?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I have no doubt that there is scope for the development of evening schools in Wales, but it is, I believe, a question whether the place of the advanced elementary schools would not be better filled by schools of a secondary type established under the Intermediate Education Act. There is obviously nothing to prevent School Boards in any town or district, where the payments under the Education Bill are in excess of the present income from fees, from establishing evening schools, or devoting the surplus to higher elementary education; and I do not anticipate that the managers of voluntary schools will disregard their responsibilities in this connection. But I am not able to adopt any plan for treating the sum in question as a whole to be disposed of under the direction of some Central Authority.

THE WIMBLEDON REVIEW.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether the order for the early entrainment of the Volunteers on Saturday is caused by the railway authorities declining to carry them at a later hour at low fares; whether the Government would obviate the difficulty by increasing the grant for transport; and whether they would give a camp allowance for food and incidentals?

MR. HANBURY (Preston): I beg also to ask the Secretary of State for War whether he is aware that, in addition to those required for the Review at Wimbledon, other special train services will be required upon the Waterloo line on Saturday next; whether all Metropolitan regiments, without regard to the position of their headquarters, even if they are nearer to Wimbledon than to Waterloo, will be required to proceed *viâ* the Waterloo line, or what exceptions will be made; and whether permission will be given to regiments which have secured steamers, to go by river to Putney Bridge, and march thence to Wimbledon?

*MR. E. STANHOPE: In response to the inquiries made by the Military

Authorities, the number of Volunteers applying to attend the Review was so large that special arrangements for their transport was absolutely necessary. Owing to the heavy demands made upon the railways in consequence of Sandown Races, a large meeting at Ascot, and Kingston Regatta, the company positively declined to carry Volunteers late in the day, and the last train carrying Volunteers must start at 1.25. It must also be obvious that to work the lines up to the last minute with troop trains would make it very difficult for the public to go to the Review at all. No question of fares has been raised. Where any corps has made a suggestion to be allowed to adopt a different route from that assigned to them, and it has been found practicable, they have been allowed to proceed independently. Among these are the Queen's Westminsters, the Civil Service, the South Middlesex, and the 1st Middlesex Engineers, and some of the earlier trains may therefore become unnecessary. Besides the allowance for transport, I authorised last week an allowance of 1s. a head for food and incidentals.

ACCIDENT ON H.M.S. *CORDELIA.*

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether he can give the House any information regarding a telegram received from Sydney yesterday, stating that, on Her Majesty's cruiser *Cordelia*, while firing practice was being performed by the crew on the 29th June, "a 6-inch breechloading gun burst on the seventh round, killing six men and injuring 12 others;" if correct, can he state the cause of the explosion?

ADMIRAL FIELD (Sussex, Eastbourne): I beg also to ask the First Lord of the Admiralty whether he can give the House any information, beyond what has appeared in the papers, respecting the lamentable accident on board H.M.S. *Cordelia*, due to the bursting of a 6-inch gun, on the Australian Station; whether the gun in question was of similar manufacture to the gun which burst in H.M.S. *Collingwood* in 1886; how many 6-inch guns of H.M.S. *Cordelia's* pattern still exist in the Navy; whether the manufacture of guns of wrought iron with steel tubes has since been discontinued in favour of steel only; and whether a similar gun to the one which burst may be forthwith tested to bursting point, in order to give confidence in the remaining guns of that pattern, if it be still approved?

LORD G. HAMILTON: I sent the only telegram we received last night concerning the sad accident on board the *Cordelia* to the public Press. It confirmed generally Reuter's telegram, and gave the names of those killed and wounded. A further telegram has been received, which runs as follows:—

"With reference to your telegram. Exercising June 29. Quarterly target practice. Gun had fired six rounds. Then loaded with full charge, 34lb., common shell, 7½lb. burster. Five minutes later, on seventh round being fired, gun burst explosively. Admiral, Sydney."

The gun was not of the same design as that which burst on board the *Collingwood*, and the accident was of a different character. This gun was one of the earliest design of 6in. breech-loading guns, and the later marks are an improvement upon it, and they fire much heavier charges—48lb. as against 34lb. There are 87 guns afloat of this pattern (total number 130), but the manufacture has been discontinued for some time past. I am doubtful whether such an experiment as my hon. Friend suggests would be advantageous, or give us any *data* as to the cause of the present accident, but if it should it shall certainly be ordered. These guns, I may add, have been in use for some years, and no want of confidence has been expressed in them. When particulars of the accident have been received the matter will be referred to the Ordnance Committee for a full Report. In the meantime, an exhaustive inquiry will be ordered at Sydney. I may further add that this lamentable accident is the more to be regretted as it is the only occasion on which loss of life has occurred on board any of Her Majesty's ships from an accident with a breech-loading gun caused by a defect in the gun itself.

BRIDGES ON THE BRIGHTON RAILWAY.

MR. HANBURY: I beg to ask the President of the Board of Trade whether, in view of the advice given by Sir John Fowler, that some 20 bridges on the Brighton Railway should be reconstructed during the next 12 months, and

about 60 others should be reconstructed when the former 20 are completed, and, in view of the fact stated by him, that—

"The advice given in this Report is based upon considerations affecting the vast majority of railways in the Kingdom, and that the result of the investigation does not indicate any unusual weakness in the Brighton bridges, which are neither better nor worse in that respect than those on similar lines of railway at home and abroad;"

he will take steps to secure that the bridges of the railways within his jurisdiction shall be adapted to the heavier engines, higher speeds, and other new conditions named by Sir John Fowler?

*Sir M. HICKS BEACH: My hon. Friend is mistaken in supposing that the railways of the United Kingdom are within the jurisdiction of the Board of Trade, if by that term he means that the Board have any power to require that their bridges shall be reconstructed. I propose, however, to address a Circular to the Railway Companies on this subject, and, when issued, a copy will be laid on the Table of the House.

FREE SCHOOL PLACES.

Mr. HANBURY: I beg to ask the Vice President of the Committee of Council on Education what will be the procedure of the Education Department with regard to the supply of free school places where a proved deficiency of such places exists in districts where there is already a School Board and where there is no School Board respectively; what is the interpretation by the Department of the provision of the Act of 1870 for supplying a deficiency of public school accommodation; and where, and under what circumstances, will it be possible to provide the deficiency of free school places by voluntary schools?

*Sir W. HART DYKE: Section 3 (3) of the Elementary Education Bill places no difficulty whatever in the way of the provision of free school places by the managers of voluntary schools, but where a deficiency of such places was proved to exist in a School Board district the Department would no doubt address itself in the last resort to the School Board; but my hon. Friend will see that it would only be necessary to do this if the managers of voluntary schools had declined to free their schools to the extent of the deficiency. In districts where there are no School Boards the effect of Section 9 of the Elementary Education Act, 1870, will be to give voluntary managers ample opportunity to supply any deficiency which upon inquiry is shown to exist.

ELEMENTARY EDUCATION BILL.

Mr. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education whether he is now able to inform the House what is the estimated additional cost to the Revenue that is likely to result from the operation of Sub-section 3, of Clause 1, of the Elementary Education Bill?

*Sir W. HART DYKE: An excess of fee grant over the present rate of school fees charged in any school can only cause an increase, in the annual grant, when such annual grant exceeds the limit of 17s. 6d. per child, and the income of the school has hitherto been less than that sum, or less than the grant earned. In such a case the excess of the fee grant might bring the income of the school to more than 17s. 6d. per child, and the managers would receive an increased grant. But the amount of the increased grant could not exceed the difference between 17s. 6d. per child and the grant earned. We cannot, therefore, assume that an increase in the income of a school caused by the fee grant will in many instances increase the annual grant; and it is not therefore considered necessary to estimate for any additional expenditure under this head.

PROVINCIAL POSTMEN.

Mr. SCHWANN (Manchester, N.): I beg to ask the Postmaster General whether he has now received a reply from the Treasury, and is able to comply with the wishes and claims of the provincial postmen as to the revision of their pay and satisfaction of other grievances specified by them in various Memorials of long date?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): I have not yet received a final reply upon the subject to which the hon. Member refers, but I now expect one in the course of a few days.

THE NAVAL MANŒUVRES.

ADMIRAL FIELD: I beg to ask the First Lord of the Admiralty whether he can state the number of men of the Royal Naval Reserve of the first and second classes who have volunteered for service in Her Majesty's ships during the coming Naval Manœuvres; how many are proposed to be embarked; and whether such service afloat will be allowed to count in lieu of the 28 days' drill required annually, or a portion thereof?

LORD G. HAMILTON: The experiment of calling for volunteers from men of the Royal Naval Reserve for temporary service on board Her Majesty's ships has recently been tried with very satisfactory results. It was proposed to allow a limited number, 300, of the first and second classes of the Reserve to embark in certain ships during the Naval Manœuvres. This was made known on July 2, and by the morning of the 6th 305 men, of whom 195 were second class, had volunteered for such service. Entries were then stopped, but before this order was generally known 342 men had actually joined Her Majesty's ships, and it is estimated that 100 more are on their way to join. This temporary service afloat will count in lieu of the 28 days' drill annually required if the men desire it.

CAMP FOR RIFLE PRACTICE IN IRELAND.

MR. CLANCY (Dublin Co., N.): I beg to ask the Secretary of State for War whether a camp for rifle practice is about to be established at Baldoyle, County of Dublin; and whether he is aware that the project of establishing a camp for that purpose in the place mentioned is viewed with the strongest disfavour by every class of persons in the district, and especially by the fishermen; and, if so, whether he will reconsider any decision that may have been arrived at in favour of the Baldoyle site for the suggested camp?

*MR. E. STANHOPE: There is considerable difficulty in procuring suitable rifle ranges in the neighbourhood of Dublin. Baldoyle is one of those under consideration, but no decision has yet been arrived at.

CONSULAR CONVENTION WITH FRANCE.

ADMIRAL FIELD: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the Consul General of Havre's Report, No. 839, page 24, referring to Mr. Consul Percy's remarks on the death from accident of the steward of the steamer *Zaimis*, when at Rouen, and whilst on duty, in which he points out the disadvantages under which certain British subjects are placed, due to a failing in our international arrangements and to the absence of a Consular Convention, whereby the widow and six children were debarred from seeking compensation by means of an application for "assistance judiciare," and these unfortunate people not being able to defray the expense of a law suit the matter had to be dropped; and whether steps will be taken to remedy this state of things as recommended by the said Consul?

SIR J. FERGUSSON: The meaning of the Consul in the passage referred to is not very clear, and he will be asked for an explanation. If the difficulty described was really owing to our having no Consular Convention, it is a matter for regret; but for many years the question has been found impossible of solution, though it has been frequently discussed.

THE REFORMATORY OFFICE.

ADMIRAL FIELD: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the Second Report, of 6th May, 1891, by the Committee on Public Accounts, and the evidence on page 12 of Mr. Rogers, Assistant Inspector of Reformatories and Industrial Schools, wherein he states—

"I may mention that the staff is limited, and we have pretty well enough to do to get through our work in the way of inspection at present,"

and to Mr. Mills' answer that certain inaccuracies were to some extent

"Attributable to the fact that the staff of the Reformatory Office is not sufficiently strong to cope with the additional work caused by the increase in the numbers both of schools and of inmates;"

and whether he will arrange for the inspection of reformatory and industrial school ships by competent seamen

Inspectors, instead of as at present by a military officer?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallamshire): Yes, Sir; the Secretary of State is aware of the evidence referred to. The inquiry alluded to on page 18 of the evidence is now completed, and the Report has reached the Secretary of State's hands. He is now considering the questions therein raised of improving generally the office arrangements and the system of inspection. He will at the same time consider whether it will be possible to give effect to the views which have been repeatedly urged by my hon. and gallant Friend with regard to the desirability of employing naval officers to inspect the school ships.

DETENTION OF AN ENGLISH GIRL BY KURDS.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs if he will explain what is the nature of the difficulty interposed by Turkey in regard to the rescue of Kate Greenfield by Persian forces; whether the British Ambassador in Constantinople has fully represented to the Porte the strong feeling of the British people as to this alleged outrage on an English girl; and whether both Powers concerned have been, or will be, informed that Great Britain cannot view with indifference the forcible capture and illegal imprisonment of any British subject?

SIR J. FERGUSSON: The girl is detained by Kurds in the Turkish Consulate at Sonjbonlak, from which the Turkish Consul has fled, and the Porte has up to the present refused its assent to the employment of force within the Consulate by Persian Authorities. Her Majesty's Embassy at Constantinople was directed on the 28th ultimo to urge the Porte very earnestly to give their consent, and on the 2nd instant Her Majesty's Chargé d'Affaires was instructed to address a strong remonstrance to the Porte against its action, which imperils the life of British subject, and to urge the withdrawal of opposition to the steps the Persian Government desire to take for the liberation of the girl. To the Shah it has been represented by Her Majesty's Government that it is essential that measures should be taken to remove the girl from the hands of the Kurds and to punish them for the outrage, and to question the girl in the presence of impartial persons, both Christians and Mussulmans, and to dispose of her according to her real wishes.

NORTH SEA LIQUOR TRAFFIC CONVENTION.

SIR E. BIRKBECK (Norfolk, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a statement that has appeared in the French papers to the effect that the French Government have declined to ratify the North Sea Liquor Traffic Convention, signed at the Hague in 1887 by representatives of the Governments of France, Great Britain, Belgium, Netherlands, Denmark, and Germany; and whether Her Majesty's Government can take any steps to prevent the failure of this most important and beneficial Agreement?

SIR J. FERGUSSON: All we know is that the Foreign Minister of France stated incidentally, in the course of a Debate in the Chamber of Deputies on the 25th June, that he did not propose to submit that Convention for ratification. Her Majesty's Government will gladly do anything in their power to obviate the failure which might ensue, but I am not at present in a position to make any statement in regard to this.

MR. BRYCE (Aberdeen, S.): What is the present position of the question, and what is the attitude of the European Powers in regard to it?

SIR J. FERGUSSON: Ratifications have not yet been exchanged, and the intentions expressed by the French Minister, of course, necessitate a re-consideration of their position by the other Powers engaged. I do not think that the resources of diplomacy are yet exhausted, but I could not now make any precise statement as to the way in which the matter stands.

MR. BRYCE: Will Her Majesty's Government communicate with the French Government on the matter?

SIR J. FERGUSSON: I would rather be excused from stating what course Her Majesty's Government will take, or are taking. I can assure the hon. Gentle-

man that we shall leave no stone unturned to prevent the failure of the Convention.

WELSH COUNTY COUNCILS.

MR. T. ELLIS: I beg to ask the Chancellor of the Exchequer whether he can state by what powers in the Local Government Act, or otherwise, the Welsh County Councils can contribute towards the cost of inquiries, in conjunction with the Charity Commissioners, into the parochial charities within their respective counties?

MR. GOSCHEN: The Local Government Act does not confer any direct powers on the County Councils of Wales to undertake inquiries with regard to charities. It is probable, however, that under the Welsh Intermediate Education Act, 1889, powers might be found vested in the Joint Education Committees which by friendly understanding might be utilised for the purpose indicated in the hon. Member's question.

POWERS OF COURTS OF QUARTER SESSIONS.

MR. W. BOWEN ROWLANDS (Cardiganshire): I beg to postpone until Thursday my question to the Attorney General whether, under Section 9, Subsection 3, of the Local Government Act of 1888, a Court of Quarter Sessions has power, as such, to give orders to the Chief Constable of a county on general matters relating to the preservation of the peace within the county, or to require a Report from him; or whether the reservation made by such subsection merely preserves to the local Justices their previous powers to give such orders as to the preservation of the peace in their respective districts?

THE SCOTCH EDUCATION CODE.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the First Lord of the Treasury whether, looking to the advanced period of the year covered by the Education Code, 1891, and to the fact of the financial arrangements of School Boards in Scotland for the current year having been all fixed upon the basis of the Code as originally issued, the Government will withdraw the amendment of the Code presently lying upon the Table of the House, and will leave the whole subject open and to be dealt with in the Scotch Code for 1892?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Minute of June 11 was laid upon the Table to meet a difficulty to which the attention of the Department had been very strongly drawn. It has now been fully before the School Authorities, and has been accepted by them, with scarcely any difference of opinion, as a satisfactory solution of the question, and any financial difficulty will be largely, if not entirely, met by the probable increase of the Capitation Grant already announced. It has been represented to the Government most urgently within the last few days that any change would be productive of serious inconvenience, and in these circumstances we propose to adhere to that Minute, and to allow full time to test its operation by experience before proposing any alteration.

MR. CALDWELL: I beg to give notice that I will move an Amendment to the Code.

THE ROLLS SERIES.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether he can inform the House upon what principle the publication of the Rolls Series is conducted, and to what class of documents it is confined; whether he is aware that there are no funds at present available for the undertaking of any new works under the direction of the Master of the Rolls; whether he can state for what period of time the Master of the Rolls has been without funds to carry on the publication of historical documents; and whether it is the intention of the Government to propose a Vote to be placed at the disposal of the Master of the Rolls for this purpose?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Perhaps the hon. Gentleman will allow me to answer the question. The principle upon which the Rolls Series is conducted is stated in a printed memorandum which is prefixed to every volume. It is confined to documents illustrating the history of this country previously to the reign of Henry VIII. There are no funds at present available for the undertaking of any new works for this

series. The Master of the Rolls is not, and has never been, without funds to carry on the publication of historical documents, a large number of works undertaken at various times being either in the press or in course of preparation. The Government has, consequently, no intention of proposing any Vote other than that put down in the Civil Service Estimates.

MR. LABOUCHERE: May I ask the right hon. Gentleman if the last volume, relating to the reign of Henry VIII., is out of print, as I find that it is troublesome to get a copy?

MR. JACKSON: I will make inquiry.

Subsequently,

MR. SUMMERS: Will the First Lord of the Treasury communicate with the Master of the Rolls on the subject?

*MR. W. H. SMITH: I would rather leave the matter in the hands of the Secretary to the Treasury, but he thinks the Master of the Rolls is fully informed.

THE NATIONAL GALLERY.

MR. ELLIOTT LEES (Oldham): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will recommend the Trustees of the National Gallery to arrange for the interchange by Provincial Art Galleries of the collections lent to them by the National Gallery under the National Gallery Loan Act, in order that, without removing any of the pictures now in Trafalgar Square, an opportunity may be given to the provincial public of seeing a greater number of the pictures belonging to the nation?

*MR. W. H. SMITH: The notice given by my hon. Friend has been too short to enable me to consult the Trustees of the National Gallery; but I have ascertained generally that there would be objections to the proposal on account of the extra risk incurred through moving the pictures about the country, and also on the score of expense, as the National Gallery has no funds at its disposal from which the carriage, packing, and insurance of the pictures could be paid.

In reply to a further question by Mr. ELLIOTT LEES,

*MR. W. H. SMITH said: I am afraid we could hardly interfere with the complete discretion of the Trustees, who are solely responsible for the custody of the pictures.

MR. WOODALL: Will the right hon. Gentleman inquire what is the amount of injury done to pictures by their circulation to provincial museums? I believe it will be found that the injury is extremely small.

*MR. JESSE COLLINGS (Birmingham, Bordesley): If the provincial museums undertake the expense of removal, packing, insurance, and other work, will the objections of the Trustees be overcome?

*MR. W. H. SMITH: I will undertake to communicate with the Trustees on that point. They are independent of the Government, and we have no power to control them.

MAIL SHIPS BILL.—(No. 163.)

Lords Amendments to be considered forthwith; considered, and agreed to.

COINAGE (EXPENSES).

Committee to consider of authorising the payment, out of the Consolidated Fund, of a sum towards meeting the Expenses which may be incurred under any Act of the present Session to amend "The Coinage Act, 1870" (Queen's Recommendation signified), To-morrow.—(*Mr. Jackson.*)

FISHERIES BILL [LORDS].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 406.]

DRUNKENNESS (CONVICTIONS) ENGLAND AND WALES.

Address for—

"Return, for England and Wales, of the total number of Convictions in respect of such offences under the following enactments as involve Drunkenness: 3 and 4 Vic., c. 97, s. 13; 10 and 11 Vic., c. 89, ss. 29 and 61; 35 and 36 Vic., c. 94, s. 12; committed during the year ended the 31st day of December, 1890 (1) after 12.30 (noon) on Sundays; (2) at any other time; whether on Sundays before 12.30 (noon), or on any week day, under the following heads:—

Place.

Population.

On Sundays, 12.30 noon to midnight.

At any other time.

Total.

(in continuation of Parliamentary Paper, No. 362, of Session 1890)."—(*Mr. Forrest Fulton.*)

MESSAGE FROM THE LORDS.

That they have agreed to,—Roads and Streets in Police Burghs (Scotland) Bill, with Amendments.

ORDERS OF THE DAY.

ELEMENTARY EDUCATION BILL.

(No. 401.)

CONSIDERATION.

As amended, considered.

*(3.50.) THE VICE PRESIDENT. OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): In moving the new clause which stands in my name, I am carrying out a promise which was made when the Bill was in Committee. We have followed the lines of the proposals of the right hon. Member for the Brightside Division (Mr. Mundella). We propose to deal with the question of schools where the average sum received from fees and for books and other articles necessary to school life is less than the 10s. grant.

New Clause—

(Where average rate charged was not in excess of ten shillings no charge shall be made to parent)

"In any school receiving the fee grant, where the average rate charged and received in respect of fees and books, and for other purposes, during the school year ended last, before the first day of January one thousand eight hundred and ninety-one, was not in excess of ten shillings a year, for each child, of the number of children in average attendance at the school, no charge shall be made to parent in respect of any scholar,)"—(*Sir William Hart Dyke,*)

—brought up, and read the first time.

Question proposed, "That the Clause be read the second time."

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): The right hon. Member for the Brightside Division is not present; but I presume that he would be prepared to accept this clause in substitution for his own. I do not, however, think the clause goes quite as far as was intended by the Committee when the question was discussed. It only affects schools that will be free schools. I hope the right hon. Gentleman will go a step further, and apply the system to other schools. What we want to lay down is that not only the fee in excess of the 10s. shall be charged, but that the managers shall be enabled to exceed that average for books, &c. Under the Bill as it stands the manager will not be able to charge a fee in addition for books after deducting the 10s. I would ask the Vice President if he does not intend to supplement this clause by a further Amendment to carry out the intention of the House?

*(3.54.) MR. F. S. POWELL (Wigan): I would suggest to add at the end of the clause, after the word "scholar," the words "over three and under fifteen years of age," in order to bring the clause in conformity with the rest of the Bill.

*MR. WINTERBOTHAM (Gloucester, Cirencester): I would suggest that words should be introduced to the effect that books and other appliances shall be provided free, and as a first charge on any surplus which exists from the substitution of the 10s. fee grant over the school pence.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Code which has been in force since 1870 lays it down that the managers are to be held responsible by the Department for the conduct of their schools, for their maintenance and efficiency, and for the providing of all needful furniture, books, and apparatus.

*MR. ROBY (Lancashire, S.E., Eccles): Do "books" mean scholars' books?

*MR. W. H. SMITH: Certainly; it is "books and appliances," which, of course, includes school books.

Question put, and agreed to.

Amendment proposed, in line 6, after the word "charge," to insert the words "by this Act provided."—(*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

*(4.0.) SIR W. HART DYKE: I think it would be better to leave the matter as it is, because under the Bill any parent can claim free places, and under the Code managers are bound to provide school books where the parents do not provide them. If the parents provide the books, their doing so will be regarded in the light of a subscription. The question is a very difficult one to deal with.

SIR G. TREVELYAN (Glasgow, Bridgeton): I think it is not necessary

to amend the clause in the way suggested, but we had better get on to the other and more important parts of the Bill.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I do not think the Amendment would do any harm.

Amendment negatived.

Clause added.

(4.5.) MR. E. ROBERTSON (Dundee) moved to insert the following new Clause after Clause 2 :—

"In any school receiving the fee grant a certificated teacher shall have a right of appeal to the Education Department against dismissal by the managers of the school, and no such teacher shall be dismissed contrary to the decision of the Department on such appeal."

The hon. Member, who had another new clause on the Paper, providing that no teacher should be required, as a condition of holding his appointment, to undertake or abstain from any duties out of the ordinary school hours, said: The two clauses are so intimately connected with each other that I will at once speak to both. As the Bill now stands, the State, in making this enormous grant to the elementary schools, has absolutely reserved nothing for itself. As yet there is no *quid pro quo*. The right hon. Member for Wolverhampton did attempt to get some consideration for the grant in the Instruction which he moved some days ago, but he was not successful. The strong and formidable objection which was taken against that Instruction, namely, that there is no logical connection between what was demanded and the Imperial grant which this Bill makes, cannot, however, be applied to the present proposals. I demand, as a consideration for the increased grant, increased public control, and I propose to place that control in the quarter from which the Imperial grant comes. I have no great admiration for the Education Department or its methods or results; but the State has no other organ, and until some other is arrived at we shall be obliged to look to the Education Department. I propose to introduce the machinery of the Education Department; and some words would have to be introduced into the clause giving the Department the power of making rules to carry it out. Another set of objections which have been urged against Amendments to the Bill on this side of the House cannot be brought against these new clauses. They in no way involve the religious question, but equally affect the Board schools and the voluntary schools, and, therefore, I claim from hon. Members opposite fair and impartial consideration for my proposals. The object of the clauses is to protect the elementary teachers of England, in the first place, from capricious dismissal by school managers, and, in the second place, from the degrading conditions as to extraneous service which are now imposed upon them. This, indeed, may be said to be the programme of the National Union of Elementary Teachers, an organisation which numbers more than 50,000 teachers, and represents the vast body of teachers governed by the Education Department. It is not difficult to show that the elementary teachers of the country have a grievance which loudly calls for remedy, and I propose that they shall have a right of appeal to the Education Department against capricious dismissal by the managers. The Secretary for War denied a few days since that elementary teachers in the rural districts are subjected to persecution; but it can be shown, if they do not suffer persecution, that they have to bear considerable injustice from the managers of the schools. In a paper read two years ago at a meeting of the National Union of Elementary Teachers by Mr. George Gurling, head master of one of the London Board schools, the question of capricious dismissal was gone into. Mr. Gurling appears to have inquired into various cases of hardship, and he says that in one instance a clergyman alleged that the schoolmaster was his servant, and that he had just as much right to dismiss him as his cook or groom. Another clergyman remarked: "Why cannot a gentleman dismiss his servant without anyone interfering?" Now, the servants in regard to whom these insolent words are used are the servants of the State, and to the extent of 75 per cent. their salaries are paid by the State. No complaint is made of the action of the larger School Boards, but the objection comes from the elementary teachers employed in the smaller schools. I will give an example to show what they complain of.

In one particular instance the Chairman of the Board was in the habit of employing children illegally, and it became necessary to make an inquiry. The master was applied to for information, but he hesitated to give it for fear of dismissal. He was told that he would be protected by the Education Department, and he accordingly gave information which led to a fine of £27 10s. being imposed. The teacher was subsequently called before the Board and told that he was at the bottom of the mischief, and eventually discharged. Numerous other cases have been placed in my hands, all to the same effect. Of course, statements of this kind made in this House can only be second-hand. I cannot guarantee them myself, but I have received an assurance from gentlemen of character and position that they are true. In one instance, I have been furnished with the copy of an agreement between the School Board and the teacher, containing the curious proviso that the teacher should attend the Sunday school and play the harmonium for the handsome sum of £2 per annum! In another case the teacher for eight years had been accustomed to play the harmonium on Sunday. He received no pay, but believed that if he were to decline he would be required to resign his position. I maintain that it is most unjust, unwise, and unfair to subject these public servants to such conditions as I have described. If professions are to be measured by their public utility I know none which would take a higher position than that of elementary teachers. They are poorly paid, and ought certainly to be free from worry. As far as the clerical managers are concerned, it is not proved that they are fit to exercise that despotic authority which the present state of the law allows them. In many respects the clergy of the Church of England are disqualified beyond other men for the exercise of this despotic power. Whatever lofty virtues their calling tends to develop, I do not think the sense of justice is one of them. They live in an atmosphere of female adulation, which, of itself, tends to demoralise them. The transcendental character of the pretensions they put forward on behalf of their duties and authority tends to blind them. [*Cries of* "Question!"] I am speaking of the qualifications of clergymen to exercise the powers which they claim. So far as I understand the case, elementary schoolmasters do not demand fixity of tenure; they only ask to be relieved from the capricious action of non-representative authorities and the small School Boards, without the review of such action by the Education Department. I beg to move that the clause be read a second time.

A Clause (Appeal of certificated teacher in case of dismissal,) — (*Mr. Edmund Robertson,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*(4.23.) SIR W. HART DYKE: Her Majesty's Government are not able to accept the proposed clause. The hon. Member has raised no new question, either as regards discussion in this House or outside of it, in airing grievances on behalf of elementary teachers; but so far as the teachers of to-day are concerned, there can be no doubt that, whether as regards the pay they receive, the position they hold, and also the sanitary conditions under which they are called upon to perform their duties, the conditions are enormously improved as compared with four or five years ago. Here and there, in some village or another, some grievance might be urged, but the position of the Education Department in regard to that question is a very simple one. Since 1870 the Department has never had anything to do with the engagement or dismissal of a teacher, and it would, in my opinion, be most prejudicial to the cause of education if it had to sit daily as a Court of Appeal to hear causes between teachers and the managers of schools. Not only has the Education Department nothing to do with the appointment or dismissal of teachers, but, strictly speaking, it has nothing to do with the management of schools; all it has to do is to secure the efficiency of the schools. That is the beginning and end of the responsibility of the Department, and the Government must refuse for many obvious reasons to alter that state of things. I think it would be most hazardous to insert a change in the Bill so vast as this, and therefore I hope the House will negative the clause.

*Sir J. SWINBURNE (Staffordshire, Lichfield): I would go further than my hon. Friend with regard to this clause, and insert after the words "fee grant"—

"The Education Department shall have the right, after due inquiry made and upon cause shown, to dismiss the teacher."

I have had a case brought before me of a child who was beaten by the schoolmaster, and who died after the beating. I have a mass of correspondence here sent me by the father of the child who died. The beating still goes on, and the parents have no power to obtain the dismissal of the teachers. One letter I have here says that the parents are afraid to complain, lest they lose employment with the gentry.

*Mr. SPEAKER: Order, order! This has no reference to the clause now under discussion. The clause has reference to the tenure of office of the teachers, and not their conduct.

Question put, and negatived.

Mr. E. ROBERTSON: I understand that hon. Members who were not prepared to support me in the first proposition are ready to support me in the next, and I shall, therefore, formally move the following clause:—

"In a school receiving the fee grant no teacher shall be required, as a condition of holding his appointment, to undertake or abstain from any duties out of the ordinary school hours, as shown by the time table of the school."

Clause (Tenure of office of teacher,)—(*Mr. Edmund Robertson,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(4.32.) Sir G. TREVELYAN: I certainly could not support the 1st clause moved by my hon. Friend; but as regards the 2nd clause, the point which it raises was a good deal discussed on the Second Reading, and it is one which I shall have the greatest pleasure in supporting.

Mr. PICTON (Leicester): There is a very great deal, indeed, to be said for the clause, as I am sure will be admitted by those who have the interests of education at heart, even if they are against the proposition. The right hon. Gentleman said just now that the Education Department has only to do with the efficiency of schools, and nothing with their management. That is a very amazing admission, after we have been told, in reply to our demand for public control, that we have it already. Now we are told that the Department cares for nothing but the efficiency of the schools. But at what dreadful sacrifice to the teachers is that efficiency secured. Often their health breaks down. Frequently schoolmasters have to perform the duties of organist, choirmaster, secretary to Church Clubs and Societies, in addition to their school duties. Many hon. Members are serious observers of the Sabbath, because they wish every man to have his one day's rest in the week, yet there are hundreds of teachers of elementary schools who never have a day's rest. I do think that the Department should forbid the overworking of teachers, and deny to managers the right to employ them outside their school duties.

Mr. TALBOT (Oxford University): This clause is absolutely absurd, because it will deny the right to a teacher, however much he desires it, to become choirmaster or organist.

Mr. PICTON: No, no; it is that he shall not be "required."

Mr. TALBOT: The clause is so utterly unreasonable that it will not allow the teacher, moreover, to abstain from certain duties. It will not allow him to eke out his salary by playing the organ, nor will it allow him to bind himself not to play that instrument. The whole thing is so intolerable as not to be worthy discussion.

*Mr. H. H. FOWLER (Wolverhampton, E.): I do not think the hon. Member for Oxford University understands the clause. It is simply this: that a teacher shall not be compelled to undertake any of these duties which are outside of his office of teacher. If a teacher chooses to become organist or choirmaster, this clause will not prevent his doing so. To interfere with him, either by compelling him to undertake, or to prevent from undertaking, any of these duties, would be an interference with his liberty. I have had an immense mass of correspondence, and I have had several instances brought under my notice of teachers who complain that they have been dismissed, or threatened with dismissal, unless they undertook

to abstain from certain duties, in themselves perfectly harmless. I hold that there should be no interference with teachers outside their school hours. A schoolmaster, outside his school hours, should be allowed to do what he likes, go where he likes, spend or save his money, just as he chooses, free from interference. I shall certainly support the clause.

(4.40.) MR. LABOUCHERE (Northampton): If the hon. Gentleman (Mr. Talbot) will devote himself to reading the advertisements in newspapers connected with the Church of England, he will find it frequently stated that the person applying for the position of schoolmaster will be required to play the organ, to rub down the clergyman's pony, and various things of that sort. ["No!"] I ask them to read these newspapers as I do, and they will acquire some knowledge of these matters. If these things are required, obviously no one will apply for the place unless he is prepared to undertake them. The clause will prevent such obligations being imposed, and I therefore shall vote in favour of it.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): Although I am not so conversant with religious newspapers as the hon. Gentleman the Member for Northampton, and perhaps the hon. Member for Oxford University, still they have been obtruded once or twice upon my notice by way of advertisement, and I have seen attached to the acceptance of a teachership the condition that the candidate shall be a communicant of the Church of England. That is a monstrous tyranny, and I shall, therefore, vote for the clause.

MR. A. DYKE ACLAND (York, W.R., Rotherham): I wish to advance one argument in support of this clause. It is that our Civil and other public servants are allowed to do as they choose in connection with co-operative and other movements in their own time, and any attempt by the Public Departments or by large Railway Companies to control the movements of their servants in their own time would be promptly resisted. I venture to say that nothing of the sort would be allowed at the present time. I am certain that elementary teachers, just as are workmen and public servants, should have liberty of action outside their school hours.

MR. T. ELLIS (Merionethshire): It seems to me that the school teacher should be honourably paid, and not compelled to eke out his living in these various ways. I have no doubt the reply will be made that the clause can be so easily evaded that it will become inoperative; but I hold that once it is put in an Act of Parliament that a teacher need not, unless he choose, become a choirmaster or organist, the end we seek will be attained. A Minister on that Bench used wise words the other night when he said that an Act of Parliament was not so much to decide points of law as to serve for a guide to the will of the community. I have no doubt, if this clause were embodied in the Act, it would express public opinion on this point, and these hardships upon teachers would be stopped.

*MR. WINTERBOTHAM: I wish to make an appeal on behalf of the 40,000 school teachers who for the most part entertain a very strong feeling upon this subject. I hope my hon. Friend will go to a Division, and that these teachers will carefully scan the Division List. They are a most deserving and hard-working body of public servants, and it is right that they should have the Sunday's rest, and should not be compelled, as actually a condition of their appointment, to enter into these degrading bargains as to duties outside their regular employment and outside the regular six days' work. Any Sunday duties they choose to undertake should be as entirely voluntary as the rest of the community.

SIR H. JAMES (Bury, Lancashire): I wish to point out that the clause as drawn will not effect the hon. Member's object at all. It deals with teachers already appointed, but not with making it a condition that teachers to be appointed shall combine with their other duties that of choirmaster or organist. The clause would be inoperative so far as concerns the 40,000 teachers, of whom the hon. Member has spoken.

SIR H. DAVEY (Stockton): That point could be met by substituting for the words "holding his appointment" the words "being appointed."

(4.52.) The House divided: — Ayes 116; Noes 181.—(Div. List, No. 331.)

*Sir L. PLAYFAIR (Leeds, S.): With regard to the new clause which stands in the name of my right hon. Friend the Member for the Brightside Division of Sheffield, I regret that owing to ill-health he cannot propose it. The discussion on the principle it involves will be taken, however, on the proposal of my hon. Friend the Member for Carnarvon.

(5.3.) Sir W. PLOWDEN (Wolverhampton, W.): The clause which I have to propose is of a very simple character, although the object aimed at is an important one, for it seeks to secure that a child shall have a right to claim and receive free education in any school which receives the fee grant. I wish the House to consider, first, the extent of the funds which are being provided from public sources for the relief of education; and, second, the provision which has been made by the Chancellor of the Exchequer. It is an absolute fact that the provision made in this measure for giving a fee grant is almost identical with the amount of fees now received in the schools. I will not weary the House with figures; but, taking the average number of scholars in attendance, and allowing 10s. per head, we find that the sum proposed to be contributed out of the Public Purse — £2,000,000—is in excess of the amount mow paid in fees to the extent of no less than £100,000. I think, therefore, we have a right to claim that every parent who desires to be exempted from paying fees shall be entitled to claim exemption. I want to ask the House to consider what is the effect of this scheme of the Government. The Vice President of the Council on Education has stated that 80 per cent. of the child population of this country who go to school will very shortly receive free education. That means that out of 4,750,000 children attending school 800,000 will not be free. What possible defence can there be for such a state of things as that? We may have in adjacent parishes one child receiving the full benefit of free education, and another not. Take, for instance, the case of two schools in Brighton. The attendance at one is 369, and the fees £478. The fee grant will be less than £190, so that £288 will have to be provided, and, therefore, the children will not receive a free education. In the other school the attendance is 420, the fees £112, the fee grant will be £210, and the whole of the fees will be swept away. Is the state of things with respect to those schools such as any statesman can defend? You are giving to schools which do not want it, money which ought really to go to other schools that require it. I think it only right the House should know what this scheme entails, and that in the first year of its working no fewer than 800,000 children will not have the right to claim free education. Out of these 800,000 children almost half are in national and Church schools, one-fourth in Board schools, and the remainder in British and other schools. I have shown that a state of things will arise under this Act which will be most unsatisfactory, and which cannot be defended by any sound argument. There will be two classes of schools side by side, and in one of them parents will have to pay fees whether they like it or not. The effect will be to deprive many of the free education they desire to obtain, and the contrast will, I fear, be most injurious to the cause of education. It may be said that if this clause is inserted in the Bill parents will be demanding free education for their children in higher grade schools, but I do not think that any difficulty is likely to arise in that direction, neither do I think that the managers of denominational schools will have any trouble in this matter. I beg to move the clause.

New Clause—

(Right to claim free education in any school which takes the fee grant.)

"After the commencement of this Act, where the parent or guardian of a child applies for it, in a school receiving the fee grant, free education shall be given to that child in that school,"—(*Sir William Plowden,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(5.19.) Sir W. HART DYKE: I think that if this clause were inserted in the Bill there would be great difficulty in working it, because the clause breaks up the framework of the Bill. The

Government have claimed that the Bill preserves the elasticity of our present school system, and I object to the clause because it destroys that elasticity. The hon. Member has referred to the existence at Brighton of schools charging low fees and of higher grade schools charging high fees. If this clause passes it will be possible for any number of parents whose children attend the low-feed school to send them to the higher-grade school, and to demand that free places shall be found for them. This would thwart the object of the Government, which is to assist poor schools while preserving higher-grade schools. The clause would, therefore, injure rather than benefit the scheme of the Bill, and, under these circumstances, I cannot accept it.

(5.22.) The House divided:—Ayes 109; Noes 206.—(Div. List, No. 332.)

*(5.37.) MR. SPEAKER: The next clause, standing in the name of the hon. Member for Hornsey (Mr. Stephens), is not in order. It proposes an independent alteration of the existing system of management, and relates to all voluntary schools, whether they receive the fee grant or not. It therefore does not hinge in any way upon the Bill.

(5.38.) VISCOUNT CRANBORNE: The new clause I have the honour to lay before the House will be, I think, an improvement in the economical machinery of the Bill. It is as follows:—

"The managers of two or more schools in the same or neighbouring school districts, not being schools provided by a School Board, may agree together to pay the fee grant, or part thereof, received by each school into a common fund for distribution, as may be arranged by them, between or among such schools. Provided that the fee grant received by each school in the first instance shall alone count as income of such school for the purposes of this Act and of section nineteen of 'The Elementary Education Act, 1876,' and a contribution to a school from any such common fund shall not be reckoned as income of such school from other sources within the said section nineteen."

I have wearied hon. Members, I think, more than once by telling them of the misgivings felt in the North of England with regard to this Bill. One of the principal of those misgivings is that the schools will be prevented, not by express enactment, but by the general feeling engendered during these Debates, from charging any fees in excess of the fee grants. I am not one of those who have ever shared that view. Much as I have sympathised with the difficulties which have been pressed upon us in the North of England, and great as I believe the risk to be which the Government run in passing this Bill, I earnestly hope there may be sufficient patriotism in all parts of England to induce parents to pay something towards the education of their children. The difficulty remains that the schools where fees may be charged may be those which do not require the fees in addition to the fee grant. With the view of meeting that difficulty I propose this clause, which is not compulsory, but voluntary, so that there may be an adjustment between school and school with the object of making the money go as far as possible. I hope that fees will continue to be charged after the passing of this measure, and I know that is the view of the Government. It has been found in both Glasgow and Edinburgh that there is an absolute demand for fee-paying schools on the part of parents who are not desirous of sending their children to the free schools. I want to provide that where a school continues to charge fees it may allocate the fee grant to other schools which may be more in need of it. It may be asked, "Why not leave the schools to make arrangements amongst themselves by assigning part of the voluntary subscriptions from one school to another?" As a matter of fact you cannot order voluntary subscribers about. You cannot say to a man who offers to subscribe to a school, "This particular school does not want your subscription. Will you assign it to a school at the other end of the town which does want it?" If you do make such a request he will probably say, "Well, if you do not want it I will keep it in my pocket." My proposal can be carried out, and it will not only secure approval in many districts where the strain of this Bill will be unduly felt, but will meet many objections that have been urged in this House. As far as it goes this Amendment will be a suggestion to them that they should hand over the fee grants to schools that want it more than themselves. Last of all I recommend the Amendment to the Government because it will, to a large extent, in certain parts of England,

smooth over many of the difficulties which may be offered to the working of the Act. I believe the House will find that, as a consequence of this clause, the money which the country is prepared to give for free education will go much further and be much more acceptable, not only to the North of England, but to all parts of the country, because those schools which need it most will enjoy the larger part of it, and those schools which need it the least will enjoy the lesser part of it.

New Clause (Power of Education Department to pay fee grant to group of schools,)—(*Viscount Cranborne,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(5.47.) SIR W. HART DYKE: Her Majesty's Government are prepared to support the clause which my noble Friend has just moved, as it merely carries out what they have themselves indicated, especially in regard to the schools in the North of England. The clause will give reasonable facilities for combination when a strain is brought to bear upon the schools in regard to this Bill. I think that the clause as drawn will carry out the object of my noble Friend without injuring the working of the Bill in any possible degree. It has one good feature, at all events. It will largely facilitate the providing of free education. Managers of schools will be tempted to take steps at once to meet any possible emergency, and the consequence will be a large increase of free places and free schools which otherwise might not be provided until after the expiration of a long period. Hon. Members will observe that my noble Friend has so safeguarded the clause as to prevent the possibility of rates being paid by a School Board to voluntary schools.

MR. ADDISON (Ashton-under-Lyne): I should like to know whether each of the parts of a school—that which is free and that which is fee-paying—will be considered a school within the meaning of this clause.

*SIR W. HART DYKE: The words of the clause will cover the case.

(5.49.) MR. SYDNEY BUXTON: When the clause was originally introduced objection was taken to it on this side of the House because it was believed that it might give rise to an increase of fees in a group of schools. I understand now, however, that that will not be the case. In the circumstances, I think there is really no objection to the proposal, and I agree with the Vice President that it will facilitate the creation of free schools in certain districts.

*SIR G. TREVELYAN: As the Government have accepted it the clause will certainly pass, and it matters very little whether my hon. Friend supports it or not. Of course, however, the approval of so distinguished an educationalist is a matter of importance. But I must own that I think that hon. Members who have voted on this question pretty often on former occasions should examine what they are doing. This is really the Glasgow system which we have so often discussed. I take it that in towns like Preston, Stalybridge, and Stockport the schools may agree together, and settle that some of them shall become entirely free without any necessity for further subscriptions by the process of accumulating the whole of the fee grant; and, on the other hand, that certain other schools shall maintain their present position without the need of any further subscription by the process of charging the same fees which they charge at present.

*MR. W. H. SMITH: They must in the first instance reduce their fees by the amount they receive.

*SIR G. TREVELYAN: I am glad to have drawn that explanation from the right hon. Gentleman, as it removes my strongest objection to the clause. At the same time, I feel bound to make a protest against the clause on the ground that it will give a Parliamentary sanction to a system which has worked very badly in Scotland.

(5.55.) MR. SINCLAIR (Falkirk, &c.): I think it would be convenient if I asked the Vice President a question which he has already answered, but in two different senses; it has reference to the definition of an elementary school contained in the Act of 1870. According to that Act an elementary school means a school, or department of a school, at which elementary education is the principal part of the education given. There are many schools worked in departments, and it has been generally understood that each of the departments

is an elementary school. But it seems it is now considered that this definition only applies to such schools as have other departments that are not elementary.

*SIR W. HART DYKE: I have already stated that the grant will be paid to a school as a whole, although under the Act a department is considered a school by itself. Since I gave that answer I have consulted the highest authorities, and they assure me that my reply was quite correct.

*(5.59.) SIR L. PLAYFAIR: The clause of the noble Lord has a good many advantages. It will certainly facilitate free education in large towns where there are a great many voluntary schools. It will, however, interfere in a few cases with the Amendment, to which we attach considerable importance, standing in the name of the right hon. Gentleman the Member for the Brightside Division. Under the circumstances I do not see any objection to the adoption of the clause.

Question put, and agreed to.

Clause read a second time, and added.

*(6.0.) MR. COBB (Warwick, S.E., Rugby): I rise to move the clause in reference to the use of schoolrooms for public meetings——

*MR. ELLIOTT LEES (Oldham): I rise to a point of order, and beg to ask you, Sir, if a clause relating to the use of schoolrooms out of school hours is in order on this Education Bill?

*MR. SPEAKER: I understand this point was reserved in Committee for the Report stage.

*MR. COBB: This question has been before the House on various occasions; but it has not been discussed in reference to this Bill. I will shortly state the position of the law as it is as to the use of schoolrooms. Under the Ballot Act the Returning Officer only has the power to use the schoolroom for the purpose of a poll free of charge. Then, under the Allotments Act of last Session I remember very well what took place, and the President of the Local Government Board will confirm me. His Department was on the occasion, I think, represented by the Secretary to the Board, and he assented to a clause, which was carried, providing that the schoolroom of any public elementary school might be used for an inquiry under the Allotments Amendment Act or under the Allotments Act of 1887, or for any public meeting to discuss any question arising under those Acts. The clause was agreed to in this House, and in the House of Lords an Amendment was proposed to the effect that the schoolroom should only be so used with the consent of the managers of the school. On this there was a Division, and in Committee the Amendment was negatived by 21 to 12, and the clause was left providing that the consent of the managers should not be required. But on the Report stage Lord Salisbury moved an Amendment to the clause to the effect that the consent of two of the managers should be required for the use of the room for the purpose. Of course the consent of two of the managers in regard to a great number of schools means the consent of double the number of the actual managers existing, therefore the Amendment which was adopted actually wiped out all the good that was done in this House. When the Bill came back to this House, I proposed to disagree with the Lords' Amendment, and I remember very well what the President of the Local Government Board said on that occasion, and I thank him for saying it. He said—what, of course, was very true—that it was very desirable to get the Bill through; that it was the fag-end of the Session, and everyone was anxious to get away; but he added these words, which are important, and which I venture to quote. He said—"But the principle that schoolrooms ought to be granted for the purpose of public meetings is now conceded." Of course that was a very important concession, confirming what the Secretary to the Local Government Board had previously said when the Bill was in Committee. Now, I speak for rural villages rather than for towns, for I have more knowledge of village life as concerned in this matter, and I say it is a great grievance felt that the people who pay to maintain these schools are not allowed to use them for public purposes. We have heard over and over again during the course of these Debates, that there are 10,000 parishes where the school belongs to one denomination—the Church of England—and in very few instances are there any

other rooms except these schoolrooms suitable for lectures, addresses, and public meetings. I may ask—Are there not a great number of us who during the elections of 1885 and 1886 were put to great inconvenience in consequence of not being able to get the use of schoolrooms? I can speak from personal experience, and so, I think, can many hon. Members. I remember very well the hon. Member for the Saffron Walden Division (Mr. Gardner)—I regret he is not here, for this subject he has made his own, and he would have drafted a much better Amendment than I have put on the Paper—he said there were 80 parishes in his Division, and in only five had he been able to obtain the use of the schoolroom for the purpose of addressing meetings of the electors; and that in 24 out of 30 agricultural constituencies there were absolute refusals to allow the schoolrooms to be used for political meetings, the managers refusing being, of course, the incumbents. Very often where use of the rooms has been granted the permission has been coupled with harassing and impossible conditions. I remember on one occasion the incumbent in a village in Warwickshire consented to the schoolroom being used, but on the condition that he and not I should select the gentlemen who were to speak. I need not say I declined the offer of the use of the building. But to show the right hon. Baronet the change that has come over the popular sentiment in this matter I may mention that only three weeks ago I attended a meeting in that very schoolroom, the incumbent having granted the use of the room without any such conditions, and he himself, being present, expressed an opinion that schoolrooms ought to be used for the benefit of the public. I remember also that in 1887 the hon. Member for Sudbury said that in consequence of the refusal to grant the use of the schoolroom he had spent hours in the rain addressing those who afterwards became his constituents, and he said that on more than one occasion the clergyman ordered the lamps to be put out, so that everything might be in darkness. Not only do I ask that schoolrooms should be opened for the use of ratepayers at election time, but at any time, and I venture to quote what the noble Lord the Member for Darwen has said on this subject, and I hope for his support to my proposal. He said—

> "Meetings could not be limited to election time, and he looked forward to the time when the Primrose League would be able to demand the use of any public elementary school for holding concerts three times a week for purposes of political education."

VISCOUNT CRANBORNE: May I ask from what report the hon. Member is quoting?

*MR. COBB: From the report in the *Times*.

VISCOUNT CRANBORNE: What I said was precisely the reverse. I was pointing out the impossibility of adopting the Motion of the hon. Member for Essex, for it must inevitably and logically lead to the use of schools for the purposes I mentioned.

*MR. COBB: Well, I am quoting fairly from the *Times'* report, and if the word "not" is omitted I cannot help it. Now, I do not propose this clause as in any way a Party matter; it concerns Members on either side of the House. The grievance is not confined to voluntary schools; we know that the use of Board schools has been refused, because the Boards have been bound by agreement with the former managers of the school. Now, if these refusals have been felt as a grievance, how much more keen will that feeling be after the passing of this Bill, when we know that a very large proportion of the public elementary schools in England will be absolutely and entirely maintained by public money. I am asking for nothing new, I am asking only for an extension of the principle fairly and wisely laid down by the President of the Local Government Board last Session. Why, I should like to know, should the schoolrooms of public elementary schools be used for the purpose only of meetings under the allotments Act and the discussion of allotment questions which are to a large extent of a political and party character ["No, no,"]—at all events it is a political subject. Why should a schoolroom be used for allotment meetings and not for vestry meetings and public meetings generally? I go further, and ask why should the room not be used for purposes of amusement? It would not be just in all cases to grant the use of the room free

of charge, and, therefore, I have inserted in the clause the provision—

"Subject to such regulations as may be approved by the Committee of Council on Education."

If any other safeguards can be suggested I am quite willing to adopt them in the clause. I merely wish to raise the question whether the public who pay for the maintenance of the schools are to be allowed to use them subject to proper supervision, the right, in fact, allowed for discussions under the Allotment Act, for the President of the Local Government Board will recognise the form of words which I have adapted from his own words for the Allotments Act. I will not occupy more time, for we are all anxious to get to the end of the Bill. If the Government desire any modifications in the clause I am quite willing to accept them, and if the clause is inserted I am sure it will give great public satisfaction, almost as great satisfaction as parents having their children educated without payment of fees. If the Government refuse to accept it I shall take a division in order that we may see who really are in favour of allowing the public the use of schoolrooms for public purposes.

A clause—

(Schools may be used for public meetings.)

"Any room in a school receiving the fee grant may, except during ordinary school hours, and subject to such regulations as may be approved by the Committee of Council on Education, be used for any vestry or parochial meeting or for any public meeting or other purpose, either for recreation or otherwise, by the inhabitants of the school district, but any damage done to the room, and any expense incurred by the person or persons having control over the room on account of its being so used shall be paid by the persons calling the meeting.

Nothing in this section shall give any right to use any schoolroom (a) unless not less than six days before the user a notice of the intention to use the room, on the day and at the time specified in the notice, signed by the persons requiring such user, being not less than six in number, and being ratepayers in the school district, has been given, if the school is under a school board, to the clerk of the board, and in any other case to one of the managers of the school; nor (b) if the use of the schoolroom on the said day and at the said time has, previously to the receipt of the notice, been granted for some other purpose; but in that case the clerk, or manager, or someone on his behalf, shall forthwith after the receipt of the notice inform in writing one of the persons signing it that the use of the school has been so granted for some other purpose, and name some other day on which the schoolroom can be used.

If the persons so asking for the use of the schoolroom fail to obtain it, they may appeal to the county council of the county in which the school district is situate, who shall forthwith decide the appeal and make such order respecting the use of the rooms as seems just,"—(*Mr. Cobb,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*(6.17.) SIR W. HART DYKE: Her Majesty's Government must oppose the insertion of this clause. This is no new question, as the hon. Member has said. It has often been raised before, but in a more direct manner on other occasions, not concealed as now it is in many words. At first sight it is a little difficult to detect the real object, but the hon. member, however, has in his speech completely disclosed the object he is in pursuit of in this Bill, which is for the purpose of relieving parents from the payment of fees. It is perfectly obvious that what the hon. Member is in pursuit of is a compulsory power to hand over private property to be used for political purposes. As regards recreation, as everybody acquainted with village life knows, compulsory power is not necessary, and the clause in that respect is unnecessary, while the protection the hon. Member purports to give to the managers is of a very indifferent nature. I assume that a contest is going on in a county between what is familiarly known as a carpet-bagger, who, I believe, is a gentleman who comes from a distance to try and oust some representative locally connected with the district, either a local landowner or somebody of local connection. I have often suffered under the infliction. This compulsory power is brought to bear on the managers of a school during a contested election, and they have to give up the schoolroom for an evening meeting. Supposing there is a very noisy meeting, and the school furniture is seriously injured, and the benches broken up, what is to happen when the school meets next day? These things are continually happening. I can assure hon. Gentlemen opposite I have often had to bolt from a meeting. It is no new experience to me, and I am obliged, therefore, not only to suggest but to insist upon it as

one of the unpleasant features of electioneering. But how is the efficiency of a school to be kept up under such conditions? Compensation is not effectually provided in the enactment that damage done to the room shall be paid for by the persons calling the meeting. It may be very well for allotment meetings, which do not excite political feeling, though the hon. Member takes a different view and uses the Allotment Act for political purposes. But see how the provision as to liability for damage would work. The unfortunate gentleman connected with the locality calls a meeting—[Mr. WINTERBOTHAM: The landowner]—call him by any hard name you please. The local gentleman as having called the meeting is to be responsible for damage, but his opponent comes in with a body of roughs and smashes up the whole meeting, and the unfortunate local gentleman not only has his head broken, but has to pay the whole damage caused, not by himself, but by his opponents. Surely this is not a proposition to be entertained. But these school buildings the hon. Member wishes to invade for political purposes are private property, and I insist strongly that the proposal might interfere seriously with the school work, and on that ground more especially I oppose the clause.

*(6.24.) SIR G. TREVELYAN: I do not think the right hon. Gentleman has used very practical arguments in opposition to the clause. I share the desire to get through with the Bill, and will therefore only mention the arguments in favour of the clause rapidly. In the first place the use of the schoolroom may be argued on grounds of economy, that the one public institution which is alone available in many English villages ought to be utilised for all public purposes so long as those public purposes are proper in themselves, and will do no damage to the original purpose for which that institution is established. I say that political purposes are the highest of public purposes for which such a room should be used. Politics are now conducted in an intelligent and educated manner. The time has passed—and I avoid saying a word in reference to one side of the House or the other—when politics were carried on in the backyard of a public house by means of piles of sovereigns, the work is now done in the face of day, and candidates seek to become Members by persuading their fellow-citizens, and we ask that all proper opportunity should be afforded for the exercise of persuasion and argument. This proposition involves no interference with education. At the present time the highest of political functions is carried on in our schools—the polling for County Council and Parliamentary Elections. This does interfere with school work, for it is carried on during school hours, but I believe the gain to parents educationally is greater than the loss of the day to the children's education, for they see that the election of a Member of the Legislature is a serious and solemn matter, and is considered by the State an important public purpose. The right hon. Gentleman talks of his personal experience, and we have all had personal experience. There are many landowners and managers, and I have not the slightest doubt, from what I know of him, that the right hon. Gentleman himself is one who would not scruple to lend any schoolroom in which they are pecuniarily interested for any purpose their poorer neighbours are in sufficient numbers anxious to promote. And what harm comes of it? How often are schoolrooms let for concerts, readings, lectures, meetings, with no more interference with the daily work of the school than there is interference with the discussion of a Railway Bill upstairs, by a meeting of Scotch Members being held in the Committee-room the evening before. It is not enough to say these are political partisan purposes. We are not ashamed that we are divided into two parties [AN hon. MEMBER: More.]—two or more parties, that it is which in the long run keeps politics free and energetic. Finally, this is a question of justice, because in many cases, in the South of England at any rate, these schools are allowed to be occupied for political purposes by one Party and not by the other. I may be allowed to refer to a correspondence, omitting names of persons and places, a correspondence between the Secretary of a Liberal Association and one of the most amiable and kindly noblemen in the country. I will read only two sentences of his Lordship's reply when asked for the use of a schoolroom, which

is the only place available for a meeting in a populous village. He says—

"At the time of the General Election and on ordinary occasions the use of the schoolroom has usually been freely conceded to both political Parties for these meetings."

And then the noble Lord goes on to base his refusal on grounds with which I will not trouble the House, but one of them is that the opinions of the Liberal Party at this moment are specially objectionable. [*Ministerial cheers and laughter.*] I am glad to give Gentlemen opposite the opportunity of indulging in a laugh, and all the more because when they come to examine the statement of the noble Lord they will see it is the strongest possible argument in favour of this Motion. Well, that is a school which receives £75 of public money, and henceforth it will receive £130 a year of public money. There are 600 schools already supported entirely by means of public money, and after this Bill is passed there will be a great many more. And yet you will allow one man—for the poorer the school the more entirely it is in the power of one man—to say whether or not any one of them shall be used for political purposes or purposes of recreation. Wise, just, and kindly managers now allow their neighbours to use the schoolrooms for political and other purposes, and we know that such extreme cases of disorder as the right hon. Gentleman referred to do not occur when such kindness is shown. We ask hon. Members to use that generosity and public spirit in their character as Members of Parliament, which I am sure they would use in their character as managers of public schools.

(6.34.) MR. WINTERBOTHAM: I do not know whether it is of any good, but I wish to make an appeal to Members who represent rural constituencies on the other side of the House. I know many representing towns and cities know little of the intense feeling this question arouses in country districts, but some on the other side do, and I am not at all without hope that a good many hon. Members sitting opposite will vote for this Amendment, which ought not to be of a Party character. There is another appeal I want to make. I believe two-thirds of the clergy in the county in which I live already give more or less cordially the use of village schoolrooms for these purposes. I believe that the more moderate and broad-minded clergy of the Church of England, if they could advise the House on this point, would say, "In the interests of the voluntary schools themselves and of the Church do not flout public opinion and refuse parishioners the use of national schoolrooms." The right hon. Gentleman the Minister for Education said carpet-baggers and mountebanks would be able to take advantage of this clause, and actually commit the heinous sin of opposing local landowners! He forgot, however, the words put in the forefront of the clause, that the power shall only be exercised subject to such regulations and restrictions as the Education Department shall make. I think the argument about mountebanks was a very unworthy one to use. Speaking as a Churchman, I think the Government have listened far too much in these Debates to those who represent not the bulk of the clergy or laity, but a small and bigotted minority. I do not believe it is the wish of many of the clergy that this *non possumus* should be so constantly repeated again and again. We are going to take a Division, and those who represent rural constituencies will very soon have to explain to their electors why they have voted for or against giving the use of the national schoolrooms for national purposes; whether the labourers are to be trusted to behave decently and orderly; or whether the Minister of Education's opinion is right, that they are a set of savages who will smash up the furniture! Are these schools, built to a large extent with national money, and which after the passing of this Bill will be supported almost exclusively with public money, private schools or national schools? If they are private property tell the people so, and I venture to prophesy that they will not remain private property long.

*(6.38.) MR. H. J. WILSON (York, W.R., Holmfirth): I entirely agree with the arguments that have been used by my hon. Friends on this side of the House, and I only rise for the purpose of relieving the mind of the right hon. Gentleman the Vice President. I was for several years a member of the

Sheffield School Board, and we had before us the question of the conditions under which schoolrooms should be used for meetings. We recommended that a moderate charge should be made, according to a scale, for the use of the rooms, and that the person hiring them should obtain a guarantee from responsible persons for any damage that was done. I do not understand on what ground rooms need be refused even to the carpet-bagger, who seems to be so much objected to by the right hon. Gentleman, provided that he and his Friends are able to give a substantial guarantee for the repair of any damage done. The opposition that comes from the other side is prompted by a desire to protect the landowners against other people going into their districts as candidates or as "agitators."

(6.40.) MR. LLEWELLYN (Somerset, N.): I could very much have wished that the hon. Member who moved the clause had been able to find some words to safeguard those who have the management of schools. I am anxious to see the village schoolrooms open to all political parties where there is no fear that any damage will be done to the schools. Unfortunately that is not safeguarded by the Amendment. I think we should remove the restrictions at present imposed upon many managers, who are altogether precluded from lending their schools for political purposes by the terms of their trust. That is the great difficulty that managers have not been able to cope with.

*MR. HOBHOUSE (Somerset, E.): I am glad that the hon. Member who has just sat down has shown that he has some sympathy with the Amendment. I quite appreciate two objections that have been offered to the clause. The first is that it is hardly cognate to the objects of the Bill, but as you, Sir, have ruled that the clause is in order, it is necessary for us, who are in favour of the principle, to vote for the Second Reading. The second objection is that the terms of the clause are too wide. I should have preferred to see this right confined to meetings of public interest and importance, excluding such general words as "for recreation or otherwise." I should also have preferred to see the clause confined to places where there are no other public buildings available for meetings. But I conceive that if the clause is read a second time it will be quite within the competence of hon. Members to move Amendments so as to frame it in accordance with their views. After all, the general principle is simply that these schoolrooms, which are largely supported out of public money, and which are often the only rooms available for public purposes, should, when necessary, be devoted to those purposes. That is a principle I have expressed approval of on many public occasions in my own constituency, and which I shall now by my vote express approval of in this House. In years gone by, when I was not so favourably regarded by school managers as I am now, I was constantly refused the use of schoolrooms, and driven either into public houses or barns, or even into the open air. I am now sometimes refused the use of them on, as it seems to me, the very unsatisfactory ground—that the use of them has already been refused to my opponents. I always say on such occasions that I wish my opponents had the use of the schoolrooms as I desire to have it myself. I desire that in future these rooms shall be available to all parties, under proper safeguards, for all legitimate public purposes.

*MR. ELLIOTT LEES: I very much regret that this proposal was not discussed in Committee, for then the clause might have been amended.

An hon. MEMBER: It can be amended now.

*MR. ELLIOTT LEES: We shall not be able to discuss it—that is to say, a Member will not be able to speak more than once. I shall be obliged to vote against the Amendment, but I should like to explain that I thoroughly sympathise with the grievance felt in many villages that the use of schoolrooms is not allowed for public meetings.

(6.45.) MR. BRYCE (Aberdeen, S.): There are two points I wish to put before the House before a Division is taken. This clause was first brought forward in Committee, and it is now brought forward on Report. We are, therefore, discussing it by consent of both sides of the House and by the direction of the Chairman of Committees. We are now on the Second Reading, and after it is passed, Amendments can be moved.

Several Amendments have been suggested from different parts of the House. I would call attention to the point raised in the speech of the hon. Member for North Somerset. He said there are cases where the trust-deeds of schools prevent school buildings being used for these purposes. It is desirable that where the managers would like to have them used for political purposes power should be given to enable that to be done. That power will be given under this clause. It may be that one or two words will have to be inserted in the clause to make it clear that the clause is intended to override trust deeds. They could be easily introduced after the clause is read a second time. The other remark I would make is this. I have often discussed this question as regards the use of schoolrooms with various clerical friends. Some of them have told me that they would like to be able to lend the schools to both parties. "But," they say, "we are in a position of great difficulty, for if we were to lend them to the party in a minority, to which very few of our friends and supporters belong, we should be exposed to a good deal of odium." I believe that if this clause were passed, and it were no longer a matter of option with them, a great many clergymen of the Church of England would welcome the change.

*(6.48.) MR. QUILTER (Suffolk, Sudbury): I should not have risen if I had not been so pointedly alluded to in connection with several incidents which took place in South Suffolk, before I was elected. I would only say that since that happy time there has been a considerable change. I believe the use of the schoolrooms are now hardly ever denied. But, Sir, I do not think that removes the entire grievance. I think now, as I thought then, that the schoolroom in every village, where there is no other room suitable for the purpose, ought to be open for the political meetings of either party under proper safeguards in regard to enforcement of payment for any damage that might be done. I very much regret that the right hon. Gentleman who has conducted this Bill through the House with so much good temper and so much tact, has not thought it desirable to make some concession at least in the direction of the Motion before the House. I believe it would be possible to satisfy large numbers of people in the villages and a great many lovers of fair play without running the slightest risk of interrupting the labours of the schools or of damaging the buildings in which they are carried on.

MR. BRUNNER (Cheshire, Northwich): I desire to second the appeal made by the hon. Member for Somersetshire, on the ground that this is by no means a Party question. I can assure the House that there are other managers of public schools besides the clergy of the Church of England who are hampered in this matter because their trust deeds do not allow them to grant the use of their schools for political meetings. There is a dissenting sect in this country whose sympathies, I believe, in the balance rather incline to the Opposition side of the House, who would grant the use of their schools to both political parties impartially, but they are unable to do it on account of the clauses in their trust. I hope the House will accede to the appeal of the hon. Member for Somersetshire, and amend the clause, as the hon. Member for Rugby is ready to do.

*MR. COBB: With the permission of the House, I beg to say that if the clause is read a second time I shall be willing to accept the Amendment of the hon. Member for Somerset and any other reasonable Amendment that may be proposed.

(6.51.) The House divided:—Ayes 131; Noes 178.—(Div. List, No. 333.)

*(7.5.) MR. SUMMERS (Huddersfield): I now beg to move the new clause which stands in my name—

"The accounts of every school receiving a fee grant shall be audited by the district auditor in accordance with regulations to be made by the Local Government Board, and a certified copy of the accounts shall be sent within 14 days after the conclusion of the audit to the local educational authority, who shall permit inspection thereof, and allow copies thereof to be taken at all reasonable times."

Hon. Members will observe that the clause divides itself into two parts. The first part has reference to the provision for auditing the accounts, and the second part deals with their publication. It seems to me that the provisions of the law, as far as the accounts of School Board schools are concerned, are already adequate and sufficient.

Under the Act of 1870 it was provided that the auditor of the School Board accounts shall be the auditor of the accounts relating to the relief of the poor for the audit district in which the school is situate, and, when the auditor has completed his audit, he is bound by the provisions of the Act to sign the balance sheet. After this the School Board has to cause a statement, showing the receipts and expenditure, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Education Department, and must send within 30 days of the time the balance sheet has been signed by the auditor a copy of the statement to each of the rating authorities, and also to the overseers of every parish in the district, and to the Educational Department. So much in regard to the auditing of the accounts of the School Boards. I think the provisions of the Act are in that case perfectly sufficient and satisfactory, and so also are the provisions of the Act in regard to the publication of the accounts of different School Boards. It is provided that the School Boards may, if they think fit, publish a statement of the accounts, or an abstract thereof, in any local newspaper, or in any newspaper circulating in the district, and that they shall also furnish a copy of such accounts to any ratepayer in the district upon his application, and on the payment of a sum not exceeding 6d. I do not propose to alter the law as far as the School Boards are concerned. What I wish is that the law may be extended to the audit of the accounts of the voluntary schools. I contend that the provisions of the existing law, as far as the voluntary school accounts are concerned, are by no means satisfactory. As I understand the matter, the question of auditing the accounts of the voluntary schools is determined, not by Act of Parliament, but by the provisions of the Code. The provision of the Code dealing with this subject is to be found in Article 18. Under that Article it is said that the Inspectors are empowered to visit schools and examine whether the conditions of annual grants have been fulfilled, and they must report to the Department, but it is not said that the Inspectors must audit the accounts of the voluntary schools, and as a matter of fact, I believe they do not either claim to audit the accounts or carry out the audit in practice. I think I am borne out in my interpretation of the Code by the sentence which follows, and in which it says the Department may, if they think it necessary, employ auditors of accounts to visit these schools and inspect the accounts. The right hon. Gentleman the Vice President of the Council will probably admit that the Education Department have simply the power to send auditors to audit the accounts of voluntary schools, but they are not obliged by law to see that those accounts are properly audited. Now, I hold that abundant evidence was given before the Royal Commission, showing that it is necessary that the accounts of all public elementary schools should be audited. If hon. Gentlemen will turn to the Report of the Minority of the Royal Commission they will see that they practically insist on the necessity of there being an audit of the accounts of the voluntary schools as well as of those of the Board schools, because they say, we "are of opinion that the accounts of all schools receiving public money should be equally thoroughly audited, and that the same rule should apply to their expenditure." The minority go on to refer to the circular which was issued in the North of England, and which proved the necessity for a public and efficient audit of the accounts of the voluntary schools. In that circular the managers of these schools are told of certain devices, which, if they follow them, will enable them to increase the sums of money they can obtain in the shape of a Parlimentary grant. I will quote only one or two of the hints given in this particular circular. It is there said that as much as possible the scholars should be encouraged to purchase their own school requisites, either from their managers or their school teachers. The amount returned from the sale of school materials may be reckoned as income. It is also stated that all accounts as to the purchase of school materials should be paid in full, and that the discounts received should be entered as items of income. Again, it is said that where the managers provide the residences for the teachers the latter should pay the rent for the same, and their salaries should be correspondingly increased.

And, lastly, it is said that all necessary work which is performed gratuitously for the schools should be returned as paid for and the amount returned as donations. It seems to me that unless you have an efficient public audit of the accounts of the voluntary schools, you have no security that these schools are really earning the Government grant. So much with regard to the necessity for the audit. I now come to the remaining part of the clause which deals with the publication of accounts. On this subject the majority and the minority of the Royal Commission are at one. They say they think it right that the accounts of all voluntary schools should be open to public inspection in the same way as the accounts of the Board schools. I, therefore, claim that with regard to the latter part of my clause I have the whole of the Commission at my back—the minority as well as the majority. Perhaps the right hon. Gentleman the Vice President of the Council may tell me that the new Code provides for the audit of the accounts of the voluntary schools. It does profess to do so, but the terms of the Code in this particular are by no means sufficiently wide and satisfactory. I should like to know what steps the right hon. Gentleman has taken or intends to take to see that the provisions of the Code are vigorously carried out in the future. It seems to me that we ought to deal with the two classes of schools—the Board schools and the voluntary schools — in precisely the same way. The Parliamentary grant is given to both classes of schools on the principle of perfect equality, and both classes of schools ought, therefore, to submit to having their accounts audited and published in precisely the same way. I beg, Sir, to move the clause I have placed on the Paper, and I hope the right hon. Gentleman will on consideration see his way to accept it.

Another Clause (Audit of Accounts,) —(*Mr. Summers,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(7.15.) SIR W. HART DYKE: The hon. Member has pleaded that there is no distinction between voluntary and Board schools, but it is perfectly obvious that there must be a great distinction. I will not press that point, however. I have already stated in Committee that ample provision exists with regard to auditing the accounts of voluntary schools. They are submitted to the Inspector, every item is examined. Afterwards they are subjected to severe criticism by the Education Department, and every source of income and its application are known to the Department, and also to the Auditor General. As to a local audit the hon. Member seems to be unaware of the fact that it would involve considerable expenditure, besides creating an additional Imperial charge. No school would obtain an audit under £2, and if the whole army of voluntary schools were to be subjected to this audit it is perfectly obvious that the central staff would have to be increased with consequent increase of the Imperial expenditure. I hope the House will not accept the first part of the clause. With regard to the remaining portion of it, I believe that the provision that all free school accounts shall be exhibited in some public place is ample for the purpose. I need hardly say that if the Code is insufficient in this respect it will be easy to amend it to meet the views of hon. Members. I hope, however, the clause will not be accepted.

*(7.18.) MR. WOODALL (Hanley): I think the House will regret the decision of the Vice President, seeing that the case for strictly auditing the accounts of denominational schools, strong before, has been made more necessary by the changes which the Bill has undergone in Committee, and still further by the adoption of the Motion of the noble Lord (Cranborne). The inspection of those accounts by Her Majesty's Inspectors is insufficient. They should go through the ordeal to which the accounts of Board schools are subjected. The Vice President was encouraged by the cheers of his colleague (Mr. Ritchie), who can hardly have forgotten that when, two years ago, we were discussing the Technical Instruction Act, he himself brought in a clause requiring that all schools receiving public money under that Act were to be submitted to audits

by officers of the Local Government Board.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, (Tower Hamlets, St. George's): I would remind the hon. Gentleman that in that instance the public rates were involved, that it was not an instance of the expenditure of Imperial money.

*MR. WOODALL: I grant the distinction. Still, our contention is that we are dealing with schools supported by public money, and that, therefore, their accounts should be inspected on behalf of the public. I have heard of a case where the grant, instead of being paid to the school, has gone to the clergyman, and when he died, his affairs were in confusion, and the school fund sustained a considerable loss. I know of a case where money intended for the school has been expended in Church services. I know of another case—and I believe all these cases can be authenticated—where money intended for the provision of a recreation ground was spent upon a field for the clergyman, who allowed the school to use it only for their annual *fête*. I believe these cases could be multiplied indefinitely. At any rate, I think the accounts of these schools ought to be above suspicion, and subjected to the verification of a professional auditor.

MR. T. ELLIS: When rates are expended, you have some sort of guarantee that they will be spent properly, but in the case of Imperial money sent to the country in large sums, you have no guarantee that it will be spent according to the Act of Parliament or the intention of Parliament. I hold that there should be no distinction between local rates and Imperial money, and that in both instances there should be an audit such as is now demanded.

MR. SINCLAIR: One reason of great importance in support of this proposal has not been mentioned. It is that by allowing this audit, you would relieve the Inspector of a great deal of detail, and give him more time for his educational work, for which he has little enough time now.

(7.25.) The House divided:—Ayes 88; Noes 145.—(Div. List, No. 334.)

Mr. Woodall

(7.38.) MR. TALBOT: The Amendment which I have to propose has for its object to make it clear that the school managers are free, not only at the present time but hereafter as well, to refuse the fee grant. I do not think any harm could be caused by accepting this Amendment.

Amendment proposed in page 1, line 13, after the word "are," to insert the words "from time to time."—(*Mr. Talbot.*)

Question proposed, "That those words be there inserted."

MR. SYDNEY BUXTON: I do not quite understand the Amendment. I am afraid it would allow of school managers making their schools free at one time, and fee-paying at another. If this wouldbe the effect, I object to the Amendment.

MR. A. H. D. ACLAND: I hope my right hon. Friend the Vice President of the Council will not accept the Amendment. We much prefer the clause as it stands.

MR. J. POWELL WILLIAMS (Birmingham, S.): I think we ought to have some authoritative explanation of the meaning and effect of these words.

*SIR W. HART DYKE: I must say I think that the words are unnecessary, because it is clear that the managers have absolute freedom at any time to refuse the fee grant. If any alteration is to be made I shall prefer the words "at any time" to "from time to time."

*MR. F. S. POWELL: I think some alteration of the clause is necessary.

*SIR L. PLAYFAIR: Unless we can ascertain the exact meaning of these words, I think it would be very dangerous to accept the Amendment. They might enable managers first to accept the fee grant and make a school a free school and subsequently to re-impose fees.

MR. TOMLINSON: I think the difficulty which is being raised by hon. Members opposite is purely imaginary.

MR. TALBOT: I have no desire to introduce any new principle into the Bill. As the Amendment is objected to I ask leave to withdraw it.

Amendment, by leave, withdrawn.

(7.44.) MR. E. ROBERTSON: I beg to move the omission of the words "as to fees" in line 15. The clause provides that the fee grant is to be given if it is desired by the managers, and if the Department are satisfied that the regulations of the school as to fees are in accordance with the conditions of the Act. I think the words "as to fees" are unnecessary and in some respects inconsistent.

Amendment proposed, in page 1, line 15, to leave out the words "as to fees." —(*Mr. Edmund Robertson.*)

Question proposed, "That the words 'as to fees,' stand part of the Bill."

*SIR W. HART DYKE: I cannot accept that Amendment. The words were carefully examined in Committee.

*MR. SUMMERS: I must say that the words as they stand are not quite clear. The new clause which the right hon. Gentleman proposes to incorporate in the Bill deals with other matters besides fees.

*MR. ROBY: I hope the Vice President will be good enough to reconsider his decision. I do not think the omission of these words can do any harm.

*MR. W. H. SMITH: It is impossible to strike out the words.

MR. LLOYD-GEORGE (Carnarvon, &c.): I cannot see any force in the objections to this Amendment.

Question put, and agreed to.

(7.48.) MR. LLOYD-GEORGE: I now propose the next Amendment standing in my name. I desire to insert words to provide that where the fee grant of 10s. exceeds in a school the amount of fees that have been paid in the year ending 1890, the surplus shall be applied for such educational purposes and in such manner as shall be approved by the Education Department, and for this purpose the manager shall submit to the Department a scheme for the application of the surplus. This is, I think, a matter of considerable importance to denominational schools; if voluntary schools are to be kept up they must justify their existence; the result of incorporating this clause in the Bill will be to secure greater efficiency in these schools. If the clause imposes upon managers the duty of preparing a scheme it will be operative, and in this way means will be taken to secure the application of the surplus to educational purposes, a point wholly unprovided for by the Bill as it stands. A Return recently presented to the House shows that in many of the schools the fees are less than the amount of the fee grant now to be given. There will, therefore, be a surplus in the hands of managers, and I desire that it shall be used to secure greater efficiency of education instead of relieving the friends of voluntary schools of the duty of subscribing to their support. In many schools in Wales there will be a surplus to be disposed of, and I would urge that the money might be used for providing technical instruction which is of especial importance to particular localities. I strongly believe that subscribers to voluntary schools will much prefer that this should be done, because their poorer neighbours will greatly benefit by such an arrangement, and I have no doubt that one result will be the preparation in rural districts of schemes of agricultural education, which would be of immense benefit. Unless something of the kind I suggest is done, very much of the time of Parliament will be occupied, and probably wasted, in fruitless discussion as to the way in which the money has been allocated. Questions will be asked from all sides of the House as to how the money has been applied, and if the answers are not satisfactory, it is very likely there will be endless discussions in Supply. It may be said, in respect to the latter part of my Amendment, that a considerable amount of additional work will be imposed on the Education Department. But surely it may well be provided that each district shall submit their scheme for the utilisation of the surplus to the local Inspectors. The previous submission of the schemes to the Inspectors would considerably lighten the burdens of those gentlemen when they went down to examine the schools, for they would simply be carrying out schemes of which they had approved. The Amendment of the noble Lord the Member for Darwen (Viscount Cranborne), which has already been accepted, enables schools to be grouped together for certain purposes. That is a very

admirable idea, and may well be carried out in the case contemplated by my Amendment. I submit it is very important we should do something in the nature of what I propose, otherwise there will be a blot upon this Act which it will be very difficult to remove.

Amendment proposed,

In page 1, line 16, after the word "Act," to insert the words "Provided that where such fee grant of ten shillings shall exceed in any particular school the aggregate amount of fees paid at such school for the year ending the thirty-first day of December one thousand eight hundred and ninety, then, and in such case, the surplus shall, subject to the provision hereinafter contained with regard to the grouping of schools, be applied for such educational purposes, and in such manner as shall be approved by the Education Department, and for this purpose the managers of such school shall from time to time after the commencement of this Act submit to the said Department a scheme for the application of the said surplus."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted." (8.5.)

*(8.41.) MR. T. ELLIS: I desire to support the Amendment of my hon. Friend, and I do so largely on the ground I have previously stated to the House, namely, that if the right hon. Gentleman in charge of the Bill is really desirous of giving a great boon to the parents and children of this country he ought to accept some such Amendment as this. One of the charges which is often brought against this Bill by hon. Members on the other side of the House is that it is a mere piece of electioneering tactics, a charge which hon. Members on this side of the House have certainly not brought so frequently against their opponents.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. T. ELLIS: I was observing, when interrupted by the counting of the House, that I do not agree with the charge of this Bill as a mere bribe. I have too good an opinion of the right hon. Gentleman the Vice President of the Council to make this charge against him. It is a charge which is brought more frequently by his own friends than by his enemies; but unless this Amendment, or something like it, be adopted, the charge that will be made respecting this Bill will be not so much that it is an electioneering Bill as that it is brought forward partly in relief of the parents and partly in relief of the subscribers. I feel assured that the right hon. Gentleman is not anxious that this Bill should go down to posterity as a subscribers' relief Bill; he would infinitely prefer that it should hereafter be regarded as a real educational measure which not only does away with fees, but which can be used as a great weapon for the improvement of our national education. Now, Sir, I maintain that nothing can be done in the way of improving the education in our elementary schools by means of this surplus except by direct instructions from Parliament, and here I would point out that Acts of Parliament like this are not so valuable as means of deciding questions of law as they are when considered as guides to administrators. Unless some special provision be made to meet the case of those schools where the fee grant exceeds the present income, the measure cannot possibly be useful as a means of bringing about what my hon. Friend desires to effect by his Amendment. It has been contended by hon. and right hon. Gentlemen on the other side of the House, and especially by the First Lord of the Treasury, that our attempts to earmark the surplus grant is in reality only a penalising of the managers of schools who have been hitherto able to charge low fees. The right hon. Gentleman seemed to argue that this House had, in effect, contracted with School Boards and the managers of voluntary schools that if they could only charge low fees this House would pass a Bill giving them a sort of reward that would enable them to carry out their contracts. So far, however, from this, we know that in every constituency in England and Wales numbers of gentlemen have denounced root and branch any attempt to secure free schools; and, instead of the school managers doing their work under any implied contract with the House, they have done it by their own efforts, and have thus evidenced the futility of the arguments offered by the First Lord of the Treasury. I would appeal to the right hon. Gentleman the Vice President of the Council, who

knows what is the condition of elementary education in this country, and ask him whether he can get up and deny that there is great need, especially in the schools to which this surplus will come, for increased efficiency. The right hon. Gentleman admitted the other night the figures quoted by a colleague of mine, to the effect that a percentage of boys and girls who attained the Fifth and Sixth and Seventh Standards, is deplorably low, and a former Vice President of the Council, the Member for Leeds (Sir Lyon Playfair), has also called attention to this matter. I think it is one of the most deplorable facts in connection with our educational system that, in spite of the millions of money expended every year on elementary education, only a few miserable thousands of boys and girls are receiving education in the higher standards. Is it not natural when we find a sum approaching £250,000 is to be given to these schools as a sort of windfall, which they never expected and have no right or claim to, that we should press the right hon. Gentleman to insert a provision in this Bill that this large sum shall be utilised for increasing the educational efficiency of the schools? During the discussions that have taken place on this Bill I have looked through the Reports issued by the Inspectors for several years past, and, without wishing to weary the House, I will ask leave to read one or two short extracts to show that the Inspectors who come into actual contact with the details of this educational system are quite alive to this fact. The Inspector for the Eastern Division of England (Mr. Smith) says—

"The great problem, it seems to me, is how to secure to our children on leaving school the instruction, admirable as far as it goes, which they have attained. It is lamentable to notice the difference between the boy of 11 or 12 years when he is turned out of school as a finished article and the lout of 15 or 16 when one meets him very rarely in a night-school. Polish, manners, often, I fear, morals—all gone; he is a complete contrast in his dull, dense, deadened faculties to the bright, sharp lad with eager eye and hand outstretched scarcely to be restrained from answering every question before his turn whom one remembers only a few years ago."

Sir, we have £250,000 of public money which can be earmarked for the special purpose of increasing the efficiency of the schools, but we see that the vast majority of the children, especially in the rural districts, leave the schools at the age of 12 or 13, and have no further educational advantages whatever. The right hon. Gentleman may ask me, how do you expect to confer the benefits of continued education on these children? I think the Amendment of my hon. Friend makes it easy to do this. Take an ordinary country school well started and well conducted with a surplus of £50 or £60. Surely a part of that sum could be devoted to the object of enhancing the work of the school. It might be utilised for the purpose of starting an evening school, or for the teaching of specific subjects. Suppose the case of a number of schools, say five or six, with a surplus of £5 each in a particular district. By organising and grouping those schools you may employ a peripatetic teacher, who would go to each of them imparting the instruction that might be required. I would remind the House that, speaking at a Conference of the Society of Arts on 15th of December, 1890, in the presence of a large number of the ablest educationalists of this country, the right hon. Gentleman the Vice President of the Council made these very sage and wise remarks—

"To my mind, the only practical way in which to carry on agricultural teaching is to have a central system. You must, I think, group together different villages and different schools, and have peripatetic teachers. If you do this you will find that the extra cost to school managers on the one hand and to the ratepayers on the other would be very small indeed, and yet you will be able to carry out in excellent system of agricultural education."

But I say that, unless the right hon. Gentleman accepts this Amendment, the present Bill, so far from being used for the organisation of schools with a system of peripatetic teaching, will merely operate in the relief of local contributions; whereas, if the Amendment be accepted, instead of shovelling out money to relieve subscribers, he will be starting a system of much-needed education whereby he will be enabled to stimulate local effort. I wish here to make a special point with regard to Wales in reference to the question of evening schools, and, in doing so, will quote one sentence from the Report of Mr. Watts, one of Her Majesty's Inspectors in Wales

—the Inspector for the Carnarvon District, who, speaking on the question of evening schools, says—

"I hope, notwithstanding that the day is not far distant when the peculiar facilities which this district physically and otherwise affords for the study of natural science, will suggest the formation of evening classes for instruction in agricultural chemistry, geology, and navigation."

In Wales there is special need for these evening schools. Until lately, the language of the people—the language used by them in their homes and in public worship—was proscribed in all the public schools. It was the right hon. Gentleman who first admitted this, and inserted provisions in the Code which will have the effect of revolutionising that system. But I say that that is not enough; we ought to do something to remedy the injurious effects already produced by that system on the education of Wales. The result of the proscription I have referred to was that, although the teachers were at first able to secure favourable results, yet so artificial, automatic, and unnatural was the method of teaching the children in a language they did not understand that it will be long before its effects will be wiped away. I say, then, that when we are giving so much money under this Bill, we ought to do something to repair this state of things—something to compensate the children for the immense and incalculable loss they have hitherto sustained. But there is another point on which education can be immensely improved by means of this surplus grant. The surplus of the grant will be about £250,000, and Wales will have about £20,000. Now, in answering a question I put to him to-day, the right hon. Gentleman the Vice President seemed to cast a doubt on the value of the advanced or high-grade schools in Wales, and suggested that the work would be better done in the secondary schools. Let me call attention to the fallacy, the mistake in the suggestion.

*Sir W. HART DYKE: No; I only indicated an alternative. I suggested that the excess of income might be applied to establishing evening schools, or to higher elementary education.

*Mr. T. ELLIS: I am glad the right hon. Gentleman admitted the necessity for increasing higher-grade schools, and by adopting this proposal much would be done under this Act. In the towns of North Wales — in such towns as Ruabon, in the coal districts, in Glamorganshire, in Monmouthshire, and other industrial centres—it would be possible to establish higher-grade schools, to which would be drawn the pick of the boys and girls from all the elementary schools in the district. You may say that these boys and girls should go to the secondary schools, but the aim of educationalists in Wales is not to diminish the use of these schools, but to utilise them to prepare children for special and technical education. Where these exist you could give a higher education to the more promising children. I am sure the right hon. Gentleman ought to take an interest in this matter. There is nothing in the official career of the right hon. Gentleman of which he is more justly proud than that he has established technical education and helped to pass the Welsh Intermediate Schools Act. I appeal to the right hon. Gentleman now to increase the number of scholars by establishing higher-grade schools and evening schools. I will not refer to the question of agricultural schools—my hon. Friend has referred to that part of the subject—but let me say a word on the question of organisation of schools. By a very small amendment in the proposal of my hon. Friend you might draw up a scheme for the grouping of schools in a district for the disposal of the surplus. In this grouping there would be an opportunity for organisation and for using the surplus to the best purpose. I can understand that one objection that will be brought is that in many cases the surplus is so small as to be inappreciable. Then I say that, by a scheme comprised in two lines, the small surplus could go to increasing the efficiency of the present day schools; but if the surplus is appreciable, the school managers ought to be called upon to draw up a scheme to be submitted to the Education Department, which could approve or amend it. Another objection will, no doubt, be urged to this Amendment, that it sets up different tests for different schools, but I think this is a very small objection. I have dealt with the argument that we are under no kind of bar-

gain with the schools which will get this money that it is a reward for services in the past, and we may quite fairly ask that it shall be used for educational purposes. There is nothing in the objection that we are applying different tests to different schools. The only value it has, if any, is that it means that we are placing upon a certain set of schools the duty of levelling up. The first duty of a Minister of Education ought to be to raise the level of the best schools, and the next to try to bring the inferior schools to the level of the superior. Here is an opportunity, with this £250,000, to raise the level of half the schools of England and Wales. This Amendment will have no prejudicial effect upon the forward schools, but it will have a stimulating effect upon backward schools. The first, last, and middle argument of the right hon. Gentleman is that all this can be done by the present Code. But the fact is, there must be some special provision if we are to deal with a special class of schools. The Code cannot deal with this surplus. I appeal to the right hon. Gentleman on behalf of education generally, and especially of education in Wales, to make the concession we ask for.

(9.15.) MR. CROSS (Liverpool, West Derby): It seems to me the hon. Gentleman's Amendment is not quite consistent with the object of the Bill, and, further, the Amendment he proposes is to be carried out at other peoples' expense. The existence of the surplus depends entirely upon the continuance to the voluntary schools of the voluntary subscriptions; if the donors do not agree to continue them there will be no surplus. The only principle upon which the Government fixes upon 10s. as the amount of the fee grant is by going upon the average, and when we go upon the average we must take into account places where fees are low as well as where they are high. I hope, as the Government have taken the principle of average, they will stick to it and resist the Amendment. I do not see the force of the objection urged against relieving the rates or the subscribers whose resources have been taxed in the past. Nor do I see why, when the Government propose to relieve the parents of fees and to make a grant to the locality, those who have borne the heat and the burden of the day in time past should not, to some extent, reap the benefit of the Bill.

*(9.18.) MR. SHAW LEFEVRE (Bradford, Central): The speech we have just heard supplies abundant proof of the necessity for the Amendment. It shows that, in his opinion, the surplus grant beyond the fees would be used for the purpose of reducing rates and subscriptions. This seems to be a view which is largely taken by persons who are connected with the voluntary schools. Before the Vice President rises I wish to add a few words to the forcible speeches of my hon. Friends who have put the Welsh point of view, for I have experience of a rural district where this question is equally important. This is the last opportunity we shall have of doing something in the clauses of this Bill for the promotion of education. As the Bill stands it does nothing for education. The Bill confers an enormous boon upon the parents of children at school, and it will confer great benefit on schools; but the Bill does nothing for securing better education. There will be a surplus of something like £300,000 arising from the substitution of this fee grant for the fees paid hitherto, but we have no security that the efficiency of the schools will be increased. The hon. Member for the Bordesley Division said a few nights ago that there was a question affecting Board schools as well as voluntary schools. He spoke of the system of rigid economy pursued by some School Boards in the South of England, and I quite admit that this matter equally concerns voluntary and Board schools. I have within my personal knowledge a case of such rigid economy being practised to the extent that the School Board determined to dismiss their schoolmaster, who had carried the school to an extraordinary pitch of efficiency — bettering his own position at the same time — in order to save £30 a year. Though the Board did yield to the strong public feeling excited, and the petition I was instrumental in getting numerously signed, and did not actually dismiss the schoolmaster, he

was so worried and disgusted by the affair that he sent in his resignation, and a new schoolmaster was appointed at a salary less by £30. I find that the effect of this Bill will be to give a grant to this school of exactly £30 a year in excess of its present fees. I have no confidence whatever that this £30 will be spent in increasing the efficiency of the school. It should be made known in the clearest manner to managers, Inspectors, and others that the excess which may accrue to the school should be really used for the purpose of increasing the efficiency of the school. I contend that it is greatly in the interest of the voluntary schools that this Amendment should be inserted. If the increased grant which is given to the schools is not used for the purpose of increasing the efficiency, but for the purpose of enabling a reduction of subscriptions to be made, then the number of schools which will be able to get on without any subscriptions at all will be enormously increased; and, therefore, just as in proportion as those schools increase so will the danger to the voluntary system grow.

*(9.29.) MR. SYDNEY GEDGE (Stockport): The wording of the Amendment is ungrammatical, not to say nonsensical, and I do not think that it will accomplish what hon. Gentlemen expect from it. But apart from verbal criticism, I do not see how you can by this means provide that the money shall not be applied to the reduction of subscriptions. But there is something to be said even in favour of that point of view. One result of this Act will be that in future School Board schools will be entirely free. That can only be brought about by a considerable increase of the rates; and in the districts where the voluntary schools and the School Board schools exist side by side, the people who are supporting the voluntary schools will find their pockets taxed far more than they have been in the past in order that the children in School Board schools may get their education free. If, then, the Bill takes money out of one of their pockets, it is but fair that it should put something into the other. The keenness of competition will ensure that the money received by the voluntary schools will be spent in increasing their efficiency. It is a great mistake to impute blame to those schools that maintain a high degree of efficiency with small or with no voluntary subscriptions at all, for it must be remembered that the managers are responsible for all the expenses of the schools; and that if they do not manage them economically, they will have to pay all the additional expenses requisite. If they are able, by economical management, to make their schools efficient, and avoid a deficit, why should we throw stones at them on account of that economical management? It is because they are answerable for extra expenses that the extra expenses are small. Credit is due to them for obtaining good results with economical expenditure, especially when we see around us examples of lavish expenditure without securing good results. The Education Department has it in its power to secure the efficiency of all public elementary schools. The Inspectors will have to go round and see that the schools meet all the requirements of the Education Department; and, if that is so, what reason is there for demanding more? If the schools have not been up to the mark why is it? It is because the Inspectors, finding them in poor neighbourhoods, with very limited resources, have been lenient to them; but this leniency will not be extended to them in the future. Under this Bill they will be in receipt of more money, and the Inspectors will insist on their being made more efficient. I think the House will be well advised to let well alone, and will be unwise to hamper managers in the way proposed by the supporters of the Amendment.

(9.35.) MR. PICTON: The hon. Member has given rather a dark picture of the present state of efficiency of the voluntary schools, and I suppose he must be taken as having had considerable experience of the working of the Elementary Education Act. He has based his objection to the Second Reading of this clause on what are really only verbal difficulties.

*MR. SYDNEY GEDGE: We are not upon the Second Reading of the clause, but upon an Amendment.

MR. PICTON: At any rate, the objections the hon. Member raises can be removed by Amendments. The main principle we are discussing in the Amendment is that any surplus arising from the fee grant ought to be devoted to the purpose of educational improvement. Now, I should like to know whether the right hon. Baronet the Vice President of the Council or the Government generally deny that there is likely to be a surplus in a considerable number of cases? Undoubtedly there will be a surplus in many cases. Well, what is to be done with that surplus? Something should be done with it. Does the right hon. Gentleman the Vice President of the Council hold that it would be right to make use of the surplus in such a way as to reduce the necessity for subscriptions? I cannot think that the right hon. Gentleman entertains such an idea. Then to what purpose does he propose that the surplus shall be devoted? Surely there can be no better application of it than in the improvement of educational appliances and results. The hon. Member for Stockport has said: "If you obtain efficiency, what more can you want?" Those who put that question forget that efficiency is a constantly growing quantity. What was regarded as efficiency 10 years ago is not regarded as efficiency now, and what is regarded as efficiency now will not be considered efficiency 10 years hence. We wish in supporting this clause to have an eye to the future, and to secure that we shall have the resources for obtaining that improvement to which we all look forward. But it is possible that, if the surplus is not taken advantage of to reduce subscriptions, it will be used to defray Church expenses, Sunday school expenses, and the cost of Sunday school treats. Expenditure for such objects out of the funds of elementary denominational schools is not unknown at the present day. For example, the accounts of the schools connected with St. Augustine, Kilburn, as published by the Rev. R. C. Kirkpatrick, vicar, in the Parish Magazine, show that a sum of £40 was spent in this way in the year 1889. The voluntary subscriptions towards these schools amount to £102, whilst the expenditure is £1,701. I find in the Parish Magazine, in a statement of accounts, the following items — Sunday school expenses, deficit on treats £26 12s. 9d., and expenses of parish house — whatever that may be — £16 8s. 8d. Well, Sir, here is the whole case. What guarantee is there that the surplus of the fee grants will not be devoted to similar purposes? I think we are justified in asking for some guarantee that this money, coming direct from the Public Exchequer, shall not be spent for purposes of this kind.

*(9.41.) SIR W. HART DYKE: So far as Her Majesty's Government are concerned this Amendment certainly does not break fresh ground, for a great deal has been said about this subject in Committee. I have very little in the shape of new argument to add to what I have already said. I cannot get over this, that whatever may be the intentions of the framers of the Amendment, yet there is not in any part of it a power to insure the efficiency of schools. This efficiency was, as a matter of fact, provided for under the Code, which lays down that a school must be efficient to secure the grant. The hon. Member for Merioneth expressed a hope that I would not adduce the Code as an argument in answer to the appeal now made. But it is necessary to refer to the Code, as there, and there alone—for they are not in any Act of Parliament—are laid down the penal consequences of inefficiency. I have given assurances again and again, that whenever and wherever there is a surplus over the fee grant, that in the case of an inefficient school, it shall be at once applied to increasing the efficiency of the school, and bringing it up to a proper level. This Amendment is again a direct challenge as to the future action of the Education Department in dealing with this class of schools. The question has been asked again and again in debate, as to whether or not the Department will do their duty in the future and secure the efficiency of the schools; and it has been hinted that the Code is not a sufficient instrument for enabling them to do this. Well, I should like to point out what the instructions to the Inspectors under the Code of 1891 are. The Code says that in the case of the less efficient schools, unless improvement is made, the whole grant may be withheld. Through

the Code itself, and through the instructions given to the Inspectors, penal consequences must be incurred by these schools if they are not efficient. It has been said that where the fees are low and there are no subscriptions, or scarcely any subscriptions, it is injurious to the cause of education that the school should continue to exist. In reply to that, I maintain that it is impossible for such schools to exist at the present moment. This Amendment is either mandatory in its character or it is not. If it is merely declaratory it is not worth much, but even if it does command something, what more effect could it have as regards the operations of the Education Department than that which will be produced by the measure as it now stands before the House. The Education Department, and all those who guide its destinies, are pledged, under the Code of 1891, that there shall be efficient schools. It is true that it is impossible that all these schools can be brought up to a standard of efficiency at once, but after the year's notice has expired the provision of the Code will in every case be enforced. The Amendment proposes that the surplus shall be applied for such educational purposes and in such manner as may be approved by the Education Department, and for that purpose the managers of the school shall immediately on this Act coming into operation submit to the Department a scheme for the application of the said surplus. I assert that this is putting the cart before the horse. It seems to me that it is for the Education Department, through its Inspectors, to say by what means the efficiency of a school shall be secured. We have inserted in the Code a special requirement in view of the passing of the Bill. It is thereby provided that after September 1, 1892, every school shall teach a class subject. That provision was placed in the Code with the special object of dealing in the future with the demand made on those weak schools which have not yet come up to the proper standard. The mover and seconder of the Amendment have laid the greatest stress on the subject of agricultural education; but here in the Code there is the very best possible scheme for dealing with this extra or class subject. The surplus can be spent under the supervision of the Department by employing a teacher to go round to various schools and teach agriculture.

MR. T. ELLIS: Will the right hon. Gentleman insist that it shall be so spent?

*SIR W. HART DYKE: Yes, Sir; the Education Department must insist that it shall be so spent. The Amendment as it is now drafted will bring the managers of these schools, however anxious they may be to carry out a scheme of this kind, into direct conflict and collision with the Education Department, which has here in the Code as complete a scheme for dealing with the question as could possibly be devised. I have been met again and again with the statement that some provision ought to be inserted in the Act of Parliament in order to insure that it will be carried out. I cannot see the necessity for any such provision, as I believe it to be impossible for the Department, looking at all the circumstances of the case, to neglect its duty in regard to these special class subjects. The hon. Member for Merioneth has challenged me to say whether I think there is not a general demand for increased efficiency in our schools in regard to the higher standards. All I can say is that in Standard IV. the scholars have been steadily increasing year by year, ever since I have been at the Education Department. The hon. Member has also asked how far the surplus may be applied, particularly in Wales, to the improvement of evening schools. My reply is that where the elementary day schools in Wales are in a state of efficiency, I see no objection to a portion of the surplus being applied to the improvement of the evening schools. As far as Her Majesty's Government are concerned they are unable to accept the Amendment, because they believe that all demands which may fairly be made upon the management of schools in the receipt of this grant will be met to the very utmost extent by the Department, and that the efficiency of these schools will be absolutely secured.

(9.56.) MR. JOICEY (Durham, Chester-le-Street): I confess I have failed to gather from the speech of the right hon. Gentleman one solid argument why this clause should not be

accepted. After listening to the speeches of the mover and seconder of the Amendment, I am of opinion that their case is quite unanswerable. The right hon. Gentleman made no attempt to deal with the principal question at issue. He went round and round the main point, and never attempted to give any solid reason whatever why public money voted for educational purposes from the Imperial Exchequer should not be applied directly and exclusively to such purposes. He said he had power under the Code to deal with the matter, but he did not say he had power under the Code to deal with the main question. Suppose a school which receives a fee grant under this Bill should, instead of utilising any surplus there may be for increasing the efficiency of the teaching, use it to decrease the subscriptions it receives, what can be done under the Code to prevent it? The ingenuousMember (Mr. W. H. Cross) who spoke opposite, really let the cat out of the bag. He seemed to think that those who had borne the burden of the day, as he called it, in educational matters in our rural districts ought to have some relief under this Bill, and I think it is the intention of Her Majesty's Government to give them some relief. In the County of Durham I believe most of the miners would be anxious to see that the surplus is really used for educational purposes. Her Majesty's Government has no right whatever to take the money of the Imperial taxpayer and devote it to the relief of those who are contributing towards the cost of our voluntary schools. I believe there is a strong desire among the mining population to have an opportunity of qualifying themselves for the positions of managers of mines. I know that in many districts there is a strong wish to have higher grade schools. I think that any surplus might be used in support of University extension. The Vice President has expressed his desire that the surplus should go to secure increased efficiency of education; I hope, therefore, that he will reconsider his decision as to this Amendment, for I think it is incumbent on Her Majesty's Government to see that any surplus which exists is applied to educational purposes, and is not used simply to relieve the pockets of the friends of denominational schools. The Government have refused to give public control over these schools, but I warn them that when the Liberals get into power pressure will be used to socure that control.

*(10.5.) MR. F. S. POWELL: I do not think there is any reason to fear that the effect of this Act will be to place money in the pockets of the subscribers to voluntary schools. For many years I have taken an active part in the distribution of funds entrusted to the National Society, and I have found that week after week and month after month applications are made to the executive, with a view, not to diminish local subcriptions, but to add to local efficiency. There are many cases where we have been asked to make grants for repairs, and I have no doubt that sums which will be placed in the hands of managers under this measure will be expended most wisely in improving the buildings and their sanitary condition, as well as in the provision of books, the increase of salaries, the widening of the curriculum, and the strengthening of the teaching staff. I object to the Amendment because of the increased power it gives to the Education Department. I am not anxious to increase the power of the Education Department except under the control of Parliament. Again, I hold that this scheme is too rigid. Our system of education advances day by day, and the adoption of such a scheme as this would cause it to lag behind. Therefore, I think it would be far wiser and better to leave the managers of schools to themselves, and allow them greater freedom of action. I believe myself that this Government Bill will do much to advance the cause of education, but if it is to be effective you must not tie the hands of school managers; you must allow them to do what is necessary to supply the requirements of their particular locality.

*(10.12.) SIR L. PLAYFAIR: The speech of my hon. Friend is one of the best that could be made on behalf of the Amendment. He has explained the objects to which the surplus will be applied, and they are the objects we seek to attain. The hon. Member objects to the Department getting in-

creased power and not being subject to Parliament, and the Amendment asks for Parliamentary authority that all the surplus shall be used for the educational purposes he described. I, therefore, hope that we shall have his support in the Lobby. I maintain that the Opposition are justified in bringing forward this subject on Report, bearing in mind the position in which it was left in Committee. On other points the Government carried their views and their clauses with triumphant majorities of 70 and 80, and in some cases of 100; but when it was pointed out that there was nothing in the Bill to cause the surplus to be used for the increased efficiency of education their majority fell to 24, and even the noble Lord the Member for Rossendale and the right hon. Gentleman the Member for West Birmingham, who was probably the chief author of this Bill—[*Cries of* "No, no!"]—went against them. At any rate, the right hon. Gentleman has been the chief promoter of free education. Therefore the Government got a strong hint that in this question at least they were not in accord with the general feeling of the House. What are the purposes of the Government in this Bill? They are only two. First, to have free education; and the next to lower the fees in voluntary schools. I believe the Government will repudiate the idea that they have any other motive, but all their supporters do not repudiate that. There is one man who has been very much at the back of the north wind. I refer to Lord Sandford, who for a long time was Secretary to the Education Department, and who is justly consulted by gentlemen opposite upon educational matters. Speaking at a meeting of the National Society on the 16th June, he said that the surplus must be employed to lessen the heavy burden of voluntary contributions. The noble Lord on that occasion told us something which we did not know. He asked—

"What right have the Government to impose an extra burden upon voluntary schools; to insist upon the teachers having first-class certificates, and upon two class subjects being necessarily introduced, as has been proposed."

That shows what was in the mind of the Government at the time this Bill was being framed. Then the noble Lord goes on—

"No. We are not going to allow the Government to do this. The surplus must be applied to lessen the heavy burden of voluntary contributions. The supporters of voluntary schools will have to subscribe quite enough to keep the schools going as it is. They have hitherto been subscribing far too much, and, therefore, I claim for them that they should share the benefit of the 10s. fee grant."

These were the words of one of the greatest educational authorities, and one of the warmest supporters of voluntary schools in this country.

MR. ADDISON: Where was that speech reported?

*SIR L. PLAYFAIR: In the *School Guardian* of June 20, 1891. This is a distinct announcement that this surplus is to be used, not for the efficiency of education, but for the reduction of voluntary subscriptions. I quite agree that that is not the view of the Government. Their object, no doubt, is to free education when it is possible, and to reduce the fees where the school cannot be made free. I think, however, we have a right to be alarmed when we are told by Lord Sandford that the surplus will be used to prevent the need of voluntary subscriptions. The First Lord of the Admiralty told us that by some prophetic instinct the Government, when it drafted the Code of 1890, had this Bill in its mind. But there is nothing whatever in the Code in regard to the subject before us, and we want to provide that this surplus, when granted on September 1, shall be earmarked as being devoted to the increased efficiency of the schools by Act of Parliament. We want to do what Article 92 of the Code says has been done in other cases by special conditions in Acts of Parliament. We wish to lay down this condition—that the surplus over the whole fees shall not be used for improper purposes nor for payirg back voluntary subscriptions, but for the purpose of promoting the efficiency of the schools. I may instance the Jewish school. In that school there are 3,300 scholars, some of whom pay a small fee, but the bulk of whom are educated free. That school will, under this Bill, have a surplus of over a £1,000. What is to be done with it? The Jews do not wish to be relieved of their subscrip-

tions, for they have always shown greater liberality than any other voluntary contributors. The Jews even subscribe to give the children a meal of bread and milk in the middle of the school course, so that the strength of the child may be kept up while it is being educated. What will they do with the money? No doubt, if the surplus had to be devoted to increased efficiency of education, they would at once frame an admirable scheme of scholarships to higher grade schools. But the Government by this Bill are giving them this money, and suggesting to them to pay back the voluntary subscriptions. It has been said — and truly so — that this Amendment is much more in the interest of voluntary schools than of Board schools. No doubt voluntary schools in rural districts will be greatly assisted, but we must not forget that Mr. W. E. Forster, in 1870, said that voluntary schools could not continue unless they had a considerable amount of voluntary subscriptions. The Royal Commission said the same. But the fact is that 3,000 or 4,000 voluntary schools will in future be worked solely by means of the Government grant and have no voluntary subscriptions. They will thus become State schools supported by State funds. If the House wishes to support voluntary schools, it will pass this Amendment, and will thus secure increased efficiency in the schools. I know of nothing more calculated to do harm to the voluntary system than to allow the surplus to go in reduction of voluntary subscriptions.

(10.30.) MR. RATHBONE (Carnarvonshire, Arfon): I assume that the Government intend that this money shall be applied in the improvement of education, but I am persuaded that they are not taking the proper steps to carry their intention into effect. I fear that before they can interfere to prevent it, evil will be done by the Bill in the shape of a diminution of subscriptions and a reduction of the rates. The Vice President says he will take care, by means of the operation of the Code, that the large sums now being voted by Parliament in aid of education shall go to the purposes of education, but it must be remembered that the people whom you want to prevent taking another or an opposite course will not read the right hon. Gentleman's speeches, and will know very little about them. It is not places like Birmingham that will require any stimulus in this matter. Well as the voluntary schools in such places have done their work, they will be the very schools which will take advantage of this increased grant to improve the education given by them. Those whom it is necessary to teach are the people in rural districts, who care and think little about education. In rural districts education is most backward, and the subscriptions to the voluntary schools have been raised with very great difficulty, and will be retained with great difficulty by the clergymen of the parishes and the few people concerned in education. A provision such as that suggested is required in those small outlying School Board districts of Merioneth and other counties, where money is not spent in a way to give the greatest advantage, and where the feeling for education is not very strong. When this Bill passes subscribers to voluntary schools in rural districts will find that the schools they have hitherto supported are in receipt of a large excess of funds, and they will say, "Why should we go on subscribing?" I ask hon. Members to recollect that when once they have buttoned up the pockets of the subscribers they will find it very difficult to unbutton them again And also in the case of School Boards, when the rates have been reduced it will be found uncommonly difficult to increase them again. How are you going to meet such a state of things? [*SIR W. HART DYKE: By taking away the grant.] But you are not going to take away the grant in a hurry. Will the Department be allowed just before a General Election to take away the grant? I feel there is only one way in which you can practically prevent the evil feared, and that is by showing in the Bill itself that the Bill is meant to be an Education Bill, and not a Relief Bill. I assert without the smallest feeling of doubt that if you once allow voluntary schools to deteriorate instead of improve their system of education, they are inevitably doomed to extinction. I

appeal to the supporters of voluntary schools to prevent such a state of things by making it clear that by this Act it is intended there shall be an improvement in the education given.

(10.38.) The House divided:—Ayes 93; Noes 143.—(Div. List, No. 335.)

*(10.48.) MR. LLOYD-MORGAN (Carmarthen, W.): I beg to move to add at the end of the clause—

"(4.) Except in schools under the control or management of a School Board, no fee grant shall be paid to any school of which at least one-sixth of the total expenditure is not met by voluntary contribution."

The effect of the Amendment is that where there is no public control no fee grant will be paid unless one-sixth of the total expenditure is subscribed voluntarily. In recent years the tendency has been for the subscriptions towards the support of voluntary schools to diminish, and the grant given by Parliament to increase. Voluntary schools now rely to a very great extent on the grant given by the Education Department. There are 1,176 schools in this country which are called voluntary schools, but which really have no voluntary subscriptions at all, and are supported entirely out of public funds and school fees. I propose that unless one-sixth of the total expenditure is obtained by means of voluntary subscriptions the schools shall not have the fee grant. I regard one-sixth as the minimum sum that ought to be contributed voluntarily if a school is to have this grant from Parliament. The question of control is an important one, and I think this is a fair way of raising it, although perhaps it is a somewhat late stage of the Bill at which to do so. In the case of School Boards you give control to the ratepayers, because they subscribe by means of the rates to the support of the schools, and you give the control of the voluntary schools to the subscribers, because they contribute by their subscriptions towards its support. That is an intelligible position to take up, but when you have divested these schools of every characteristic of a voluntary school, I cannot see why they should remain under the control of those who formerly supported them.

Mr Rathbone

Amendment proposed,

In page 1, line 26, at end of the clause, to add the words, "(4.) Except in schools under the control or management of a School Board, no fee grant shall be paid to any school of which at least one-sixth of the total expenditure is not met by voluntary contribution."—(*Mr. Lloyd Morgan.*)

Question proposed, "That those words be there added."

*(10.57.) SIR W. HART DYKE: I am unable to accept the Amendment, because the immediate result of it would be to prevent a large number of free schools from being opened. The hon. Member has referred to the case of a school where the subscriptions are very low, and there are scarcely any subscriptions. He has rather shadowed forth that such a school might exist on the fee grant. I believe that would be absolutely impossible if it was to remain efficient, and, therefore, such a school would have to raise its subscriptions or be struck out as inefficient. My belief is, that immediately the Bill becomes law there will be an automatic increase in the subscriptions of schools, and on that ground I submit that the House ought to rest satisfied with the new state of things which will be inaugurated.

MR. PICTON: The right hon. Gentleman has made some remarkable admissions in the course of this discussion, but I think none of them has been more remarkable than that contained in the words he has just uttered. He says the effect of adopting this Amendment would be that a considerable number of schools would be prevented from giving free education, so that it is evident that in those schools actually not one-sixth of the money required to support the school would be raised by voluntary contributions. I would like the right hon. Gentleman to define what he means by a voluntary school. We have heard the word "voluntary" *ad nauseam* during these Debates. Is a voluntary school one for the maintenance of which the whole expense is to be furnished by the public? Why, it reminds me of the story of the ancient knife, still considered a relic though blade and handle had been renewed. All the voluntary subscriptions are to be replaced by public contributions, and still the thing is called a

voluntary school. I think Members on this side of the House are to blame for using the phrase "voluntary schools" instead of denominational schools, for they are this and nothing else. If the Government do not accept the Amendment, I hope nobody in future will be guilty of the misnomer of calling these voluntary schools, for, as I have said more than once, the Government are engaged in demolishing the voluntary principle altogether. I cannot understand upon what principle the Government object to this Amendment, unless they have that object in view. I hope the motion will be carried to Division.

(11.1.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): The right hon. Gentleman has stated that the result of adopting this Amendment would be to prevent the opening of a large number of free schools, so that it may be inferred that, in his opinion, there are a large number of parishes where there are not a sufficient number of subscribers to voluntary schools to contribute a sixth of the expenditure.

*SIR W. HART DYKE: That was not what I said.

MR. J. BRYN ROBERTS: If the result should be that schools do not become free in large numbers, it will be because subscriptions do not amount to a sixth of the expenditure, and then, under this provision, free schools would have to be built; and if free schools have to be established under the procedure of the Act, then the voluntary schools have been a failure. If voluntary schools are to be perpetuated as a system, I urge this Amendment as a strong step towards that perpetuation, for if the result should not be that which the right hon. Gentleman has prophesied, but the reverse, if in the result it should be found that a sixth of the expenditure is provided by voluntary subscriptions (and I have sufficient faith in the supporters of the system in country districts that rather than see the schools abolished they would subscribe to this extent), then there would be the greatest justification for the continuance of the system. Failing this, the voluntary system must be swept away. I submit, therefore, that the Amendment is in the interest of the voluntary system, for it would stimulate subscriptions to the extent of a sixth of the expenditure.

(11.6.) The House divided:—Ayes 90; Noes 159.—(Div. List, No. 336.)

(11.15.) MR. T. ELLIS rose to move an Amendment to provide that the Education Department should report annually the amount of the fee grant to each school, together with the amount of rates and subscriptions.

*MR. W. H. SMITH: Before the hon. Member proceeds to move his Amendment, may I make an appeal to him? I have undertaken that this information shall be given in the form of a Return, if not in the annual Report; and I hope, therefore, he will not insist upon inserting this as a statutory provision. It is quite unusual to do so. I also ask Members to consider the hour of the night at which we have arrived, and the general desire there is that we should conclude this stage of the Bill to-night. I believe there are only one or two questions upon which difference of opinion exists, and, if it is thought necessary, we might take Divisions; but I think, after the discussions we have had, there should be nothing to prevent our finishing the Report to-night.

SIR G. TREVELYAN: I am sure there is a feeling on both sides of the House in favour of concluding the Debate to-night, and I think the discussion this evening has been of a most practical character. There is one obstacle in the way of closing the Debate to-night——

*MR. BARTLEY (Islington, N.): On a point of order, Sir, I wish to know what is the Motion before the House?

*MR. SPEAKER: There is no Motion before the House; the right hon. Gentleman interposed before the Amendment was moved.

SIR G. TREVELYAN: There is only one obstacle, and that is the Amendment of the right hon. Gentleman to Clause 3, to substitute "or" for "and," which I must say we look upon as going back from a solemn Parliamentary engagement entered into before the House.

MR. T. ELLIS: I am quite satisfied with the reply of the right hon. Gentleman. I hope he will include the income from fees?

*Mr. W. H. SMITH: We will give all the information in our power.

(11.17.) Mr. W. H. CROSS: After the appeal made by the right hon. Gentleman, I will not detain the House many moments in moving my Amendment, and I hope it will be accepted. The effect of the Amendment in Clause 2 in the second line would be that the power of raising fees in future would not be limited by the amount received in the past, but by the amount charged by the managers, whether received or remitted. As the words now stand, those schools which have been most liberal in making remissions will suffer most from the loss of power to raise fees in the future. I know hon. Gentlemen opposite object to the raising of fees, but still, if they are to be levied at all, I do not see why we should penalise those schools whose managers have been most generous in past remissions; we should give them all the advantage we can. My Amendment does not propose any additional charge on the Imperial Exchequer; it only means a very small increase of fee in certain schools where it may be of the greatest value to the school. The right hon. Gentleman may tell me that the Department does not know how these amounts have been charged or remitted, but I am sure this can easily be ascertained. There are several reasons why the Amendment should be accepted, but in deference to the appeal of the right hon. Gentleman I will not take up time in arguing the question. I hope the Government will now be in a position to say they accept the Amendment.

Amendment proposed, in page 2, line 2, after the word "received," to insert the words "or remitted."—(*Mr. William Cross.*)

Question proposed, "That the words 'or remitted' be there inserted."

*(11.20.) Sir W. HART DYKE: I have gone carefully into this matter, and, having made inquiries, I find that the Department have no *data* on which to go in dealing with the question of remission of fees. We must be accurate in dealing with this Bill throughout, and it is impossible to indicate what was the precise amount of fees remitted. There would be no adequate guide because schools are in the habit of grading fees, and it is obvious that the smaller fees would be those remitted. I regret that I cannot accept the Amendment.

*Mr. G. W. BALFOUR (Leeds, Central): I must confess I am greatly disappointed with the answer to which we have just listened. I think after what passed in Committee we had reason to expect something more than this. It is true that when my hon. Friend raised the point in Committee the right hon. Gentleman at first met the proposal with a negative, but afterwards, finding that it obtained sympathy and approval from the hon. Member for Poplar, he consented to consider it on Report, and I am, therefore, not a little disappointed that we should now receive nothing more than a departmental answer. The strongest arguments can be urged in favour of the Amendment. One of the principal reasons given in favour of free education was the hardship and humiliation to which parents were exposed who were too poor to pay the fees for their children, and had to have recourse to the Guardians. In a certain number of voluntary schools the managers have remitted these fees altogether, and for this generosity they are now to be penalised by the permanent loss of the fees thus remitted. I have never approved of the rigidity with which the schools that will still be allowed to charge fees are tied down to a precise amount of fee, which they must not exceed under pain of having the excess deducted from the fee grant. No necessity exists for such a provision, regard being had to Clause 3 of the Bill, which in effect allows all parents to claim free education for their children if they desire to do so. But by refusing to accept this Amendment my right hon. Friend goes further still. He practically imposes a special penalty on schools whose managers, by the remission of fees, have practised a generosity which is now to be so ungenerously requited. My right hon. Friend says the Department does not possess the *data* for calculating the fees thus remitted. But surely he will not say it is impossible to obtain them? Is he prepared to say the information cannot be obtained? I should have thought, indeed, the Department was in possession of it already, for we have

Returns giving the different fees charged throughout all elementary schools in the country, and the percentages of children paying each rate of fee, together with the percentage of those whose fees are remitted; and it would seem to me that for the compilation of these tables the Department must be in possession of the *data* in question. In any case, I do not see any difficulty in obtaining the information. Once more I ask my right hon. Friend to consider the point, and see if he cannot do something to remove the painful feeling that has arisen among some of the most loyal supporters of the Government, that their representations have not been received with favour nor yet met by argument, but have been simply set aside in order to conciliate hon. Gentlemen opposite.

*(11.27.) MR. BARTLEY: I think we should not treat with undue haste this important matter. Nobody can say the Debate has been protracted by hon. Members on this side of the House. Scarcely a concession has been made on any point urged from this side, while every consideration has been given to Amendments moved by hon. Members opposite. This is a very moderate concession asked. The case has been very fairly put by the hon. Member for Leeds, who has just spoken. In many schools managers have met cases of poverty of parents by remitting fees, and have not insisted on an application to the Guardians, and this remission is to be perpetuated, to the disadvantage of those schools. It is no large sum concerned, and the Government might fairly make this concession. I may remind the Government that, although my Motion on the Second Reading received a very limited amount of support, yet not half the Members who sit on this side of the House voted for the Second Reading. There is evidence that there are many considerations of expected Amendments that have influenced the supporters of the Government to take a favourable view of the Bill, and I strongly urge the right hon. Gentleman to re-consider this matter.

(11.30.) The House divided:—Ayes 58; Noes 195.—(Div. List, No. 337.)

(11.42.) MR. TOMLINSON: I beg to move the Amendment in my name to Clause 2. The Vice President of the Council says that the Amendment he is about to move will settle the case. I am unwilling to detain the House under the circumstances, but I should be glad if he will assure the House that his Amendment will meet the point I have in view.

Amendment proposed,

In page 2, line 17, at the end of Clause 2, to insert the words—"(3.) In reference to any school provided after the passing of this Act this section shall be read as if the first day of January after the completion of the first year during which the school has been carried on were substituted for the first day of January one thousand eight hundred and ninety-one." —(*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

*SIR W. HART DYKE: The Amendment I am about to move deals with this very point.

Amendment, by leave, withdrawn.

Clause 3.

*SIR W. HART DYKE: I beg to substitute the word "or" for "and" in line 25. An hon. Member moved in Committee the insertion of the words "owing to a change of population in the district," which were not printed on the Paper, and these words the right hon. Gentleman the First Lord of the Treasury accepted without fully appreciating their complete effect. They were moved in consequence of an explanation I gave as to the necessity for Clause 3, when I said that the clause was necessary to provide, among other things, for cases of shifting population. It will be necessary to substitute the word "or" for "and" so as not to limit the power of the Department to approve a charge or increase to those cases only where there has been a change of population. I did not quite appreciate the scope of the Amendment moved in Committee, but I have since gone very carefully into it, and I find that it would be impossible to carry out the Bill without the insertion of the word "or." I may be met by the argument that we ought at once to have appreciated the effect of the Amendment, and that we are now guilty of something like a change of front. ["Hear, hear!"] I rather anticipated that cheer, but I have stated how it was that the Amendment, moved in Committee, was accepted. Hon. Mem-

bers opposite do not understand the scope of the clause. I have pointed out again and again that the clause is one that has been inserted to meet the requirements of the Education Department itself in the working of the Bill. This clause, as I have explained, is only intended to meet cases of emergency; and, unless this Amendment is agreed to, the Department will be debarred from acceding to perfectly legitimate applications of schools to increase their fees in order to make them higher grade schools, or such as to meet the altered circumstances of a district. The Amendment is also required to meet the case of newly-established schools where grant was not due on 1st January, 1891. I have had before me the cases of several School Boards who have been anxious to establish higher grade schools, and who have raised their fees from 2d. to 6d. and 9d. If this Amendment is not agreed to it will be impossible for this to be done.

Amendment proposed, in page 2, line 25, to leave out the word "and," and insert the word "or."—(*Sir William Hart Dyke.*)

Question proposed, "That the word 'and' stand part of the Bill."

(11.47.) MR. A. DYKE ACLAND: The right hon. Gentleman says that the hon. Member for Merionethshire suddenly sprung on him certain words that he did not understand in Committee. In the first speech the right hon. Gentleman made in explaining the sub-section he said it was designed to meet the case of localities where the population shifted, and accordingly the hon. Member for Somerset suggested an Amendment. The First Lord of the Admiralty touched on the same question of shifting population; the hon. Member for the Bordesley Division expressed a hope that the modifications suggested by the right hon. Gentleman the Member for Leeds would be adopted, and a little later on, when the hon. Member for Sunderland proposed his words, the First Lord of the Treasury said the Government would be prepared to accept modifying words, and shortly after that he said he accepted the principle involved in the Amendment which was ultimately moved. Of course, it is open to the Government to re-consider the matter on Report; but it was said that the clause was framed to meet the case of shifting population exclusively. ["Hear, hear" *and* "No, no!"] Yes; we have been repeatedly told that that was so. At least 30 speeches have been made on the subject. The House is now brought back to where it was at the beginning of the Debate, and managers may be empowered to raise a 4d. fee to a 5d. fee, a 5d. fee to a 6d. fee, and so on. The managers will say: "Do let us raise the fee, and we will then get the efficiency you want out of the parents by raising a 3d. fee to 4d. or by turning a free school into a small fee school." I think we are justified in saying that we have not been fairly treated by the right hon. Gentleman.

(11.52.) MR. JESSE COLLINGS: I do not think my hon. Friend has at all fairly described this alteration. It is expected that our school system will develop, and cases will arise where School Boards and other bodies will be inclined to give education going beyond the scope of that which they now are empowered to give. Unless the word "or" be inserted, therefore, School Boards and school managers will be debarred from developing education in that direction. The House must consider the Amendment when taken in connection with the words "when it is for the educational benefit of the district." Those words govern the word "or," and unless the Amendment be adopted you will be putting a fetter on the development of our educational system.

MR. SYDNEY BUXTON: I am not quite able to follow my hon. Friend in his last remarks. We believe that, unless this particular clause is very strictly limited, it will do a great deal to re-introduce the system of fee-paying schools, where it has been hoped to set up free schools. It is clear that the right hon. Gentleman has been "got at" by his hon. Friends sitting behind him. We all remember how the hon. Member for Wigan said the other night that the action of the Government had entirely shaken his confidence in them, or words to that effect. I do not think it is quite fair for the right hon. Gentleman to say this matter was sprung upon the Committee at the eleventh hour, because on the Second Reading he said deliberately,

and no doubt after consultation with the Department, though perhaps not after consultation with the gentlemen who sit behind him, that it was intended to provide merely for shifting populations. We say it is not fair, it is not conducive to the interests of free education that the right hon. Gentleman should now go back on what he has proposed.

*MR. BARTLEY: I must say that I think hon. Members opposite are very ungrateful. They have had it all their own way hitherto, and it is too much to say that the Government have been "got at" by their own friends. If the Government has been "got at" this is the only occasion on which such a thing has occurred, but hon. Members opposite have "got at" the Government a great many times. I hope the Government will, for once, stick to the position they have taken up.

*(11.57.) SIR J. LUBBOCK (London University): I support the Amendment in the interests of higher education. The hon. Member for Bordesley has put it quite correctly. The clause expressly provides that the charge shall be only made if it is for the educational benefit of the district. But in that case why should it be confined to cases where the population has changed? The hon. Member for Rotherham objects that this will enable a free school to be turned into one where fees can be charged, but he overlooks the express provision in the clause that it can only come into operation in a district where there is already sufficient school accommodation without payment of fees. If such free schools exist why should a district be debarred from establishing a higher school?

(12.0.) The House divided:—Ayes 71; Noes 166.—(Div. List, No. 338.)

Word "or" inserted.

*MR. W. H. SMITH: I wish to make an appeal to hon. Members who have Amendments on the Paper which I think are not of vital importance. If they withdraw those Amendments the questions involved are of a character which could be raised in another place. If they are not withdrawn, we cannot take the Third Reading until Thursday.

*MR. SUMMERS: I shall be glad to withdraw the Amendments which I have on the Paper.

*SIR L. PLAYFAIR: I think the suggestion is a very fair one considering that these Amendments are not of very great importance, and considering that any to which my hon. Friends attach importance could be moved in another place.

*MR. SPEAKER: If the Amendments are withdrawn I shall have to ask when the Third Reading is to be taken.

*MR. SUMMERS: I would like to know what the Government propose to do with regard to the question of the Schedule?

*MR. W. H. SMITH: That is a matter which will be carefully gone into, with the view of securing the remission of fees so long as the necessity exists.

*MR. BARTLEY: On the point of the Third Reading, are we to understand distinctly that all the Amendments are withdrawn?

*MR. W. H. SMITH: They are all withdrawn.

Bill to be read the third time to-morrow.

METALLIFEROUS MINES (ISLE OF MAN) BILL.—(No. 400.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

RANGES [PAYMENTS].

Resolution reported—

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament for Army Services, of any sums required for the repayment, in certain cases, of money borrowed for the purchase of land under any Act of the present Session to facilitate the Acquisition of Ranges by Volunteer Corps and others."

COLONEL NOLAN (Galway, N.): I would like it to be distinctly pointed out whether this Bill will include underground ranges and short ranges.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): If the hon. and gallant Gentleman refers to Clause 14 he will see that provision is made for artillery and rifle practice, and it is distinctly understood that underground and short ranges will be included.

COLONEL NOLAN: Perhaps the Financial Secretary will make inquiry on that point before passing the Bill through the House.

MR. BRODRICK: Certainly, but I have no doubt whatever about it.

Resolution agreed to.

RANGES BILL.—(No. 399.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

TRAINING COLLEGES (IRELAND) BILL. (No. 391.)

SECOND READING.

Order for Second Reading read.

MR. T. W. RUSSELL (Tyrone, S.): I do not feel disposed to oppose this Bill; but inasmuch as it gives to Ireland a principle of education which is somewhat novel, I think we ought to have some information with regard to it.

MR. SEXTON (Belfast, W.): Was inaudible in the Gallery.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): (who was indistinctly heard) It is true that as the Bill is drawn there is no mention of furniture and fittings; that is a matter on which the Bill may be amended. On other points, also, I will take care that the drafting is made clear. It is not necessary for me to say anything upon the general scope of the Bill, because I have already made a public statement on that subject. In 1883 the late Government agreed to assist the training colleges for Presbyterian and Roman Catholic teachers, and it was arranged that two-thirds of the cost should be paid out of public funds. This did away with part of the grievance felt by the Catholics, but it was still felt that they were hampered in the competition with undenominational colleges, the whole cost of which was defrayed out of public funds, and hence it was felt necessary to go back to the old system. The Government are very anxious to remove what is felt to be a great grievance, although they cannot do all they desire to do.

(12.33.) COLONEL NOLAN: After the explanation of the right hon. Gentleman I hope the Bill will be allowed to pass.

MR. T. W. RUSSELL: I have no intention of opposing the Bill; but after the explanation of the right hon. Gentleman, I may say that it may be necessary for me to take some action in Committee.

Question put, and agreed to.

Bill read a second time, and committed for Tuesday next.

CONSULAR SALARIES AND FEES BILL.—(No. 398.)

Order read for resuming Adjourned Debate on Question [6th July], "That the Bill be now read a second time."

Question put, and agreed to.

Bill read a second time and committed for to-morrow.

STATUTE LAW REVISION BILL [LORDS].—(No. 336.)

Ordered, That Mr. Henry H. Fowler be added to the Select Committee on the Statute Law Revision Bill. — (*Mr. Attorney General.*)

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.—(No. 287.)

Considered in Committee, and reported; as amended, to be considered to-morrow.

CHILD LIFE INSURANCE REGISTRATION (SCOTLAND) BILL.—(No. 219.)

Order for Second Reading read, and discharged.

Bill withdrawn.

HOUSES OF PARLIAMENT (OIL LAMPS)

Return ordered—

"Showing the number of Lamps used in the Houses of Parliament during the year ending on the 31st day of March, 1891, their distribution, and the rates of payment made for the same."—(*Mr. Plunket.*)

TRAINING COLLEGES (IRELAND) [LOANS.]

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any annuity that may be created for the repayment of any Loan made by the Irish Land Commission under any Act of the present Session, to provide for the Re-imbursement to Training Colleges in Ireland of certain past expenditure on their Sites, Buildings, Appurtenances, Premises, and Fixtures (Queen's Recommendation signified), to-morrow.—(*Mr. Jackson.*)

House adjourned at Ten minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 8th July, 1891.

ELEMENTARY EDUCATION BILL.

(No. 401.)

THIRD READING.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir W. Hart Dyke.*)

*(12.25.) MR. ROBY (Lancashire, S.E., Eccles): Perhaps the House will allow me to say a few words upon this Bill, seeing that I was not able to make any general remarks upon it, either upon the Second Reading or upon the Instruction which was moved on the Motion for going into Committee. I think I shall express the entire sense of the House when I congratulate the right hon. Gentleman opposite (Sir W. Hart Dyke) upon the straightforwardness and courtesy he has shown throughout the conduct of this difficult task. I have not been for so long a time, perhaps, as the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) an advocate of free schools. Probably I derived too strong an impression from what I saw in connection with the endowed schools to welcome free schools with much cordiality. The experiment in connection with endowed schools was a dismal failure. I have objected to free education because it seemed to me that it would involve a large draft upon the Public Purse of which I did not approve. That objection has now been removed by the action of the Chancellor of the Exchequer, who tells us that 1d. from the Income Tax will do all that is necessary. Another objection I had was that the tendency of free schools would be to render parents careless and indifferent, but I must admit that the conditions under which the endowed schools lived were very different from those under which school life in free schools will be conducted in the future; and, therefore, the arguments which I drew from the endowed schools will be very little applicable to free schools. I think there is now a fair prospect that none of the obstacles which formerly existed will continue to prevail. The logic which says that because the State imposes a duty upon the parent it is therefore bound to pay him for performing it, is not very good; but popular logic is often more effective than strict logic, and in the eyes of the people it has often seemed that they have some claim on the Government for relief. Consequently, if, in any way, this Bill, as I believe it will, removes from the minds of the people generally any obstacle in the way of sending their children to school, it will be welcomed as an excellent measure. But one is bound to consider what were the motives which actuated the Government in bringing in the Bill, and whether it will fulfil its title. As far as I can understand, the motives of the Government in bringing in the Bill were—first, to take out of the hands of the Liberals a proposal which was calculated to be popular in the country. The second motive was to safeguard the denominational schools. The title they have given to the measure is a Bill for assisting education in the elementary schools of England and Wales, but instead of that title being a true indication of its contents and character, I submit that it should have been styled a Bill for relieving parents from some payments and voluntary schools from some subscriptions. I failed to find throughout the progress of this measure that the Government have shown anything like a strong desire to come to the assistance of education, because over and over again they have refused Amendments designed to assist the cause of education. I may instance particularly that they refused to secure by the Bill that the denominational schools, for whose activity and success they profess to be so zealous, should be supported by a living body of subscribers interested in making them a real success. Curiously enough, one of those who urged that the voluntary schools should take the money of the State in aid solely of themselves was the hon. Member for the City of London, who perhaps, of all men in this House, has given in his lifetime one of the most noble endowments that were ever given to the cause of education.

No doubt it was an easy task for him to say what ought to be done in favour of voluntary subscribers, but, at the same time, I think that his practice is far better than his precept, and that he would do better to tell voluntary subscribers to do as he has done, and not do or say as he says. There was another proposal made by the right hon. Member for Wolverhampton (Mr. H. H. Fowler) to secure some popular representation upon the Committees managing the schools, both in the country and in towns, which are supported by voluntary subscriptions. It is perfectly true that these schools, to a certain extent, are the result of voluntary subscriptions, and they remain as a monument of what can be done by voluntary efforts. But, at the same time, I maintain that when the Government are giving such an enormous grant as this from the Public Treasury to voluntary schools, they were bound to secure that there should be persons in the district acting on behalf of the public to see that the schools are well managed, and that it should not be left to a body of persons who built the schools in the past, and now support them with a modicum of subscriptions to receive enormous sums of public money without giving a full and complete account of them, and without security that the schools shall be managed in the interests of the public. The schools are not likely to be managed in the interests of the public as long as the public are excluded from a share in the management of them. The Government refused also a proposal to have a more efficient audit of the accounts, a matter which I look upon as of the utmost importance, seeing that something like 27s. out of every 36s. of the cost is contributed from the Imperial resources. Again, it was proposed on this side of the House that the schoolrooms might be used for public purposes. They are not private property, but are held on trusts, either explicit or implicit, for public purposes—the purposes of education. When you have the State coming in and supporting, as well as to some extent assisting in building, the schools, I think the least we can demand is that they should be made available for all the public needs. The Government refused to accept that Amendment, and there was a further important Amendment which the Government also refused to accept. It was to the effect that the surplus in cases where the fee grant exceeded the amount of the school pence should be devoted entirely to educational purposes. The answer given by the Government was that this was provided for already by the Education Code. [Sir W. HART DYKE: Hear, hear!] Surely the Ministers and those who sit at their back must be aware that there is an enormous difference between accompanying a grant from the Public Treasury with specific instructions in an Act of Parliament marking the purposes for which the grant is to be used, and relying upon some expressions in the Code that may or may not be used according to the whim of the managers for the time being. All the Amendments moved from this side were directed to the improvement of education and making the grant the means of giving the public a wider interest in the schools which receive the grant, and seeing that better means are taken to secure proper management and control. We have been met by the argument that the denominational schools must be safeguarded, and it was supposed that all the Amendments which were submitted would do something to injure the position of denominational schools. I do not hold the same views as hon. Gentlemen opposite; probably I do not hold the same views as many who sit on my own side of the House, but it is a little strange to me to hear those who, like the noble Lord the Member for the Darwen Division (Viscount Cranborne), insist on fixed principles of religious teaching, and lay such stress upon them, condemn the religious instruction which is given in the School Boards, although quite willing to join with the heterogeneous religious instruction given in the various denominational schools. Provided that it is denominational and has a fixed principle of some sort they seem to think it matters very little what it is. Nay, hon. Members opposite seem to entertain a strange objection to the religious instruction which is given in the Board schools. I should like to remind the House that children from the age of 3 up to 14 are

hardly capable of taking in all the points of theology and ecclesiastical doctrine which the school managers seek to impress upon them. They may be got from time to time to repeat with more or less intelligence the formulas taught them, but I am afraid that they understand very little of them. One hon. Member—I think the hon. Member for the Loughborough Division of Leicester — spoke of the distinction between Christians and nondescripts, describing as nondescripts the children who attend the Board schools. I may be permitted to say that, for my own part, whenever I hear these claims put forward on behalf of the denominational schools, I am reminded of the famous letter of Paul to the Corinthians, in which the Apostle, referring to those who said, "I am of Paul, I of Apollos, I of Cephas," spoke in terms of the highest condemnation of divisions and contentions among Christians. I claim that, with very few exceptions, in this land we are all Christians—with one notable exception, of which I speak with the utmost respect—the Jews. In my opinion, it is not only offensive, but utterly wrong and illogical to speak of the religious instruction given in Board schools—such as that of Manchester—as being in any way non-Christian. It is essentially Christian, and the children attending the Board schools are Christians—far more Christian, indeed, than those who lay stress on small differences, instead of urging men to follow the example and the teaching of our common Lord. I differ from them because their action tends to prevent common working in a common cause. I do not confine religion within the narrow area of so-called denominational instruction. Every attempt to relieve poverty and distress, and to cast out the evil spirits of ignorance and idleness, are better entitled to the name of religion than any instruction in metaphysics and ecclesiastical history. I do hope that this Bill, which will create some stir and ferment in the education of the people, and may disturb both the financial business and the general relations of elementary education throughout the country, will be worked with success, and that hon. Members who support the voluntary schools will seek to work out the problem of free education which now presents itself on friendly terms with the Board schools and with one another; and that they will endeavour so to conduct the education of the country that while full opportunity is given for religious teaching in all the schools, the primary duty of assisting the education of the younger portion of the community will be adequately discharged. There is one other aspect of the question which I desire to mention. We have here another instance of what has taken place within the last year or two under the control of the Chancellor of the Exchequer—namely, the giving of large grants from the Public Treasury to be administered in the country. I regard such a policy with doubt and reluctance. I do not think it is a good thing to make grants even to the County Councils without giving them any control over the collection of the money or making them responsible for the application of it; but if there is danger in giving it to an elected body like the County Council, there is still greater danger in giving it to a large number of small bodies all over the country who are without proper representation or control. I think it is most important that we should decentralise as much as possible. This matter is peculiarly one of local importance, and it is best that it should be carried out under local supervision and supported as far as is possible by local taxation, the grants being administered by the localities themselves. Surely it is also desirable that we should go one step further in the direction of establishing District Councils. It is not enough to have given us County Councils, but we must have smaller Councils, and it is to these smaller Councils that I look for the establishment of a great system of decentralisation. I certainly desire to see, to a large extent, each district charged with the administration of education. I thank the House for the kindness and patience with which it has heard me, and I heartily hope that this Bill, whether it works for the advantage of one political party or the other, will work for the benefit of the children in our elementary schools.

*(12.45.) MR. BARTLEY (Islington, N.): Before the Bill finally leaves this

House I wish to say a few words in regard to it, although I do not intend to frighten the House by enlarging at any great length upon the question. I look upon the Bill on many accounts, educationally, socially, and financially, as wrong in principle, and I further regard it as a serious attack upon voluntary schools; but, unfortunately, the view which I and my friends take was utterly annihilated by the Division which took place, so that I am not encouraged to divide the House again. But I wish to remind my hon. Friends behind me that although we figured in small numbers in that Division the Division itself gave evidence of a fact which ought to weigh gravely with Her Majesty's Government, namely, that in the Division List the names of not one-half of the Conservative Members appeared as having voted for the Second Reading of the Bill. That is a matter upon which I for one rejoice, although I am fully aware that hon. Members opposite rejoice the other way. In passing through Committee the measure has undergone several important changes. The first point to which I wish to call attention now is, that the idea which lies at the foundation of this measure is that inasmuch as compulsion has been made the law of the land, and children are compelled to go to school, it is only right and proper that we should enable them to be taught for nothing. There is a certain amount of logic in this argument, but we threw it all over in the course of the debates. It was the foundation of the whole Bill when it was originally introduced, but it has been ignored since; and we provide now, as a material and vital point, that children under five years of age and over 14 shall have free education, although the law does not compel them to go to school. However, as all principles have been thrown to the winds, I voted for an increase of the maximum age, because I thought that if we are to have free schools we should keep the children there as long as possible, and that there should be no inducement to take them away. I should even have voted for an extension of the limit indefinitely so long as the parents choose to keep their children at school. We are now going to vote £2,250,000 for free education, and yet this Bill gives no sort of return for an increase of education to that extent. I very much regret that when the Bill was passing through Committee we did not put something into it to secure an educational return for this enormous outlay. To my mind we are going to pay not only the fees which are now received, but something more, and the position is so peculiar that I cannot imagine it will last long. As an educationalist I maintain that this is anything but a satisfactory result. Then, in regard to the 3rd clause, I must confess that I look upon it as a most unfortunate and disastrous one. It will inevitably give rise to agitation in all parts of the country against the voluntary schools. As a matter of fact they are not now voluntary schools at all, but simply denominational schools. It is of no use to quibble over names; since the Act of 1870 these schools have become not voluntary but denominational schools, and as denominational schools I am prepared to support them. Judging from the enthusiasm with which this Clause 3 was received on the other side of the House, I am satisfied that it will work immense mischief to the denominational schools. It will lead to agitation in every district and an unpleasant political and social agitation, and in the course of a few years the practical result will be to destroy a great nnmber of the denominational schools. I know that for those hon. Members who are not within the charmed circle of official life, it is always an unpleasant thing to oppose the Government which they generally support in other matters. I have felt this strongly, but I must candidly confess that I have not at any moment been alarmed that any action we may have taken would be likely to damage the Government, seeing that they have so many allies on the other side. I had, therefore, no fear as to the result of our action on the fate of the Government. At the same time, I feel that it is most unpleasant to be compelled to take this decided opposition to a measure which has been brought in by Her Majesty's Government. It is only right that I should say we have never pledged ourselves to it, but that on the contrary, we have most emphatically pledged ourselves

the other way. The disastrous state of the position is this. If what we say is correct, the Government are damaging their future prospects, and it will take pretty well our lifetime before we recover our position, while, if we are not correct, we shall be regarded as false prophets of evil. Many of my hon. Friends have told me that I am acting the part of a Cassandra in this matter, because I have ventured to prophecy great disaster and misfortune from the passing of this measure—a disaster so great that it will be like the fall of Troy. No doubt I feel that the disaster is great, and certainly, in my judgment, it somewhat resembles to our Party the fall of Troy in the time of Cassandra. But the House very well knows that, whatever happened, Cassandra was right in the prophecies she made. [An hon. MEMBER: She did no good!] An hon. Member says "She did no good." That is quite true, and I am afraid that I shall do no good. Nevertheless, whatever she predicted came to pass. Why were her prophecies not believed? Let me remind the House of a line in Virgil—

> "By the gods' decree:
> All heard, but none believed the prophecy."

The gods, in this case, are the Government on the Front Bench, and it is by the decree of the Government that my hon. Friends have been blind and deaf to all warning, and refuse to listen to it. As I have been called Cassandra, I have taken the trouble to read up once more the classical tale, with greater ease I acknowledge in Dryden's translation than in the original Latin. I think the Government are to be regarded as the gods who have turned a deaf ear to Cassandra's prophecies. I think the story affords a curious and a serious omen for us. We have been besieged by our enemies, the Greeks, on the other side, but they have hitherto failed to get into our strong places. As a last resource, our enemies invented and built the wooden horse of free education for it. It is not our measure, but that of hon. Members on the opposite side, that we are passing. It is of no good to say that it is not so. I wish to give everybody his due. Our opponents then built the wooden horse of free education, and they loaded it with a destructive and treacherous cargo of secular schools, absence of parental responsibility, discouragement of self-reliance, and the annihilation of denominational schools. I should not have objected to this but for the extraordinary fact that we have been induced to admit this wooden horse within our own walls. In the case of Troy this result was brought about by a subtle and clever freak. We are told that it was Sinon who undertook to persuade Troy to admit the wooden horse. He said that it would be beneficial in every way, and that it would be dedicated, when it was got inside, to Minerva, who was the goddess of Wisdom, Literature, and Education. He said that this would not only appease the gods, but would turn away the anger of the gods from Troy (probably having in view the next election) and turn it on their enemies. May I ask if the modern Sinon is not the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain). Has he not persuaded the Front Bench to receive the wooden horse in this instance? My conviction is that he is the man who has done it all, and that he is the man whose influence has been so all-powerful. We have all been convinced by his wisdom, and perhaps I may be allowed to quote a line or two from Dryden's translation of Virgil, which are on all fours I think with the present position. What is it that Virgil says?

> "All vote to admit the steed . .
> . . . . . .
> Some hoisting-levers, some the wheels prepare,
> And fasten to the horse's feet; the rest
> With cables haul along the unwieldy beast."

Well, my hon. Friends voted to admit the steed, and have helped to haul it along. They have become so enthusiastic that they compete with one another. Even the Junior Member for Stockport was found pushing the horse a little at the back. In the words of the poem—"Each on his fellow for assistance calls," and so we now find hon. Members coming forward and saying that, in honest truth, they have had for a long time a sort of secret idea that free education

was the right thing. Others, like the Member for South Islington, say now that ever since they stood for Parliament they have believed in free education, and yet others again have talked so enthusiastically on the subject that one would almost suppose that free education was drawn in literally with their mothers' milk. But like many of the qualities of their parents, their mothers especially, my hon. Friends have not thought of those things until maturity has passed, and old age has come upon them. This is exactly on all fours with our present position, and the result now is that we have reached the Third Reading of the Bill with all this enthusiastic support and—

"At length, the fatal fabric mounts the walls,
Big with destruction."

That is the view I take of the position. We know perfectly well what was the result in Troy. We know that in Troy, the very night the wooden horse was brought in, and before it had been there 24 hours, the great city which had resisted, as we have resisted our opponents for years and years, was taken and destroyed. I venture to assert that the same sort of thing will happen with us. We have been deluded enough to believe that the horse of free education which we have admitted, is but a harmless hobby. But it is not so. It is as dangerous as that wooden horse of Troy, and we shall be as ruthlessly undeceived before long by the destruction of our denominational schools. I believe, to end as I began with the classic simile, that in the night of a not far distant future our "sacred city" of religious education, "built by hands divine," like the homes of the "Valiant heroes of the Trojan line," will be taken and destroyed by this measure of so-called free education, which we are now admitting, and that unnecessarily, though perhaps unwittingly admitting, at the dictation of the modern Sinon, in spite of the warning of 10,000 Cassandras, within the hitherto impregnable stronghold of religious education.

(1.5.) MR. JESSE COLLINGS (Birmingham, Bordesley): We have listened to a very amusing speech from the hon. Member for North Islington (Mr. Bartley), and having heard the statement he has made I should recommend my hon. Friend to repeat that speech in some of the 25,000 parishes of this country among the men and women who hardly know what it is to get the means to provide their next meal, let alone the 1s. 3d. a week they may be called upon to pay for their children's school fees. They would hardly compare the measure brought in by Her Majesty's Government to the wooden horse with which the hon Member has compared it, and I think that if the hon. Gentleman had gone to those districts as I have done, and assisted in the relief of human beings who are destitute of human necessities, he would probably have spared himself the trouble which I daresay occupied some considerable portion of his time last night in order to prepare the amusing story he has put before the House about the wooden horse which obtained admittance into Troy. But my hon. Friend the Member for North Islington has told us the object of his speech. He is followed by a brand new fourth party, of which he is at present the only possible sign of membership, and I may here express a hope that the other three will be as able, and that their prospects and career will be as favourable as those of the other fourth party. But it is not my intention to go into all the questions which have been raised by the hon. Member, and which have been discussed in this House over and over again. The speech of my hon. Friend touched on every point connected with our complicated system of national education, and his object seemed to be to endeavour to hang all the questions arising on that subject upon a simple Bill for relieving parents from the payment of school fees. The apparent object of that speech was to minimise the value of this measure and support the voluntary school system, to show how much the Government have not done, and to carefully conceal the great things they have accomplished by this measure. But I think it would

take a considerable number of such speeches to explain away the fact that on the 1st September next the great mass of the English people will be relieved from what has been to them hitherto an intolerable burden. Of course, the questions as to local control, and the great religious question, and all those other matters which have been referred to by my hon. Friend, in preference to the main topic of free education, will probably take years to settle, and, although it is easy to hang them on to a simple Bill for free education, my hon. Friends in this House and the country generally must not forget that if their efforts had been persistent, whether in the case of the Instructions that have been moved or of the Amendments which have been referred to, the Free Education Bill must have been killed, and there would have been no relief of school fees for the people of this country—at any rate during the present Session. But, Sir, my object in rising was not to enter into the details of this question, but simply to congratulate Her Majesty's Government and the country at large on having practically completed—so far, at least, as the House of Commons is concerned—a great and important public measure. I think it is not only the greatest measure of the Session, but that it is also the greatest measure which the present Parliament has done. It is a measure that has been subjected to a large amount of criticism, and there are one or two great dangers from which we, the supporters of Her Majesty's Government, have happily been successful in saving the Bill. But the fact, at any rate, remains, that the Bill will leave this House as a good Bill, a satisfactory Bill, and an efficient Bill—efficient for the object it is intended to serve — the one and the only object for which it was introduced —namely, to relieve the people of this country from the payment of school fees. It is a great Bill, because it will remove the reproach that has been hanging over this country, that after having made education compulsory for the public good and for the general safety, we nevertheless imposed fees on the parents and the children whom we have compelled to enter our elementary schools. This Bill will remove hardships such as only those who are engaged in the work of education in connection with the School Board system are familiar with. It will remove a terrible hardship under which poor parents are now suffering in striving to make good the weekly fees. Those who have been on the Attendance Committees, as I have been, and who have seen the poor people coming up to explain their position and to beg for a remission of the fees, must know what a humiliating process that is. There are Magistrates who will not convict for breaches of the law in regard to the payment of fees, and who refuse to imprison the parents, because they know they are too poor to pay. And there are also people whose time is taken up very much by the collection of fees, and all those demoralising agencies which directly tend to the destruction of that self-respect which ought to be one of the first objects of education, who desire to see those demoralising agencies done away with, and who think that education will receive an impetus from this Bill such as we can hardly have estimated. But, Sir, as I have already said, I only rise to express my thankfulness to Her Majesty's Government for having passed this Bill. I have a large personal acquaintance with men to whom the payment of fees has been one of their greatest burdens, and I am sure that in almost every cottage in this country, while the other questions may be admitted to be matters of great importance, the effect of this free education measure so long talked of, and which has been at last conferred, will be fully recognised, and I venture to say a great debt will be held to be due to Her Majesty's Government, or to any Government that shall have conferred this great boon upon the people, and especially upon the poorer classes. I ask my hon. Friend to rise to the greatness of this occasion, and not to be prevented by a feeling of miserable partisanship from recognising the great boon which is now being given to the country. I must remind my hon. Friend that when we talk about the conversion of this or that or the other Member——

*MR. BARTLEY: I did not use the word "conversion."

MR. JESSE COLLINGS: Well, I will substitute alteration of opinion in regard to free education — I say, I must remind them that when the question was first raised by the hon. Member for the Edgbaston Division of Birmingham, he had only 32 Members following him into the Lobby in favour of free education. The right hon. Gentleman the Member for Derby, the former Home Secretary, is an exception, but with a few exceptions the bulk of the Members who are supporting this measure may be called converts, because there has hitherto been no Party that has adopted the principle of this measure as a Party, and there has been no Government that as a Government has ever tried its hand upon it. I am very glad to find that Her Majesty's Government having tried their hand upon this question have so far succeeded, and I beg to congratulate them upon the result, and especially the right hon. Gentleman the Vice President of the Council, who has piloted this measure through the House with so full a sense of its importance, and so anxious a desire to make it what it is in point of fact—a Free Education Bill.

(1.20.) COLONEL COTTON-JODRELL (Cheshire, Wirral): I congratulate Her Majesty's Government on having got through the difficult task they have undertaken in the passage of this Bill, although I do not know that hon. Members on this side of the House can congratulate themselves on the manner in which some of the Amendments, neither hostile to the Bill nor to the Board schools, have been received. Those Amendments have been proposed simply with the object of improving the position of voluntary schools in the North of England. I hope that when the Bill reaches the other House the Government will consider the desirability of introducing an Amendment dealing with the quarterly payment of the fee grant. I do not see why that matter should be left entirely in the hands of the Department. I should also like to call attention to the 4th sub-section of Clause 3, relating to the extent of school accommodation in the district, and to ask whether the Government will object to the insertion of words making it quite clear that the inquiry should be public. I trust that, on the whole, the Bill will be found valuable in the interests of education in the future.

(1.23.) MR. BRYCE (Aberdeen, S.): I do not think that the Debate which has been raised on the Third Reading of this Bill has been altogether useless, because it has afforded an opportunity not only of saying things which we found some difficulty in saying while the Bill was in Committee lest we should be accused of delaying the measure, but also of reviewing the position into which it has brought us with a better and wider prospect than was possible when the measure was in the Committee stage. It is only on these grounds that I desire to offer a few words on the present occasion. I think, Sir, the time has come when we ought to ask ourselves when this Bill leaves us what the future education of the country, as set up by it, is likely to be? The measure has three aspects. First of all, there is its political or electioneering aspect, on which I shall say nothing now, because that aspect of the subject has been dealt with by the Cassandra of Islington. It is very interesting to us to know from the hon. Member that that noble beast which played so distinguished a part in the Siege of Troy, is still sound in wind and limb and able to show his paces so well when mounted by a competent rider. But passing this by, I ask the House to look at this Bill in its educational aspect, and I will endeavour to sum up the impression it has made on those of us whose interest in the question of education is of 20 or 30 years' standing. In our view, a great opportunity has been, I will not say neglected, but very imperfectly used. The Government might have made this Bill an opportunity for insisting upon improvements in education which it would have been hard to secure at any other

moment. They might have raised the standards. That would have been an enormous gain, and this would have been the aptest moment for undertaking the work. The occasion has also been neglected for obtaining a higher education in efficient schools and for re-organising and resettling a number of school areas. I do not, however, make this a charge against the Government. I feel that they had an extremely difficult problem to deal with. But looking back at the whole question, it surely is a neglected opportunity. It was unfortunate that ecclesiastical disputes should be mixed up in any way with educational policy. In this case the ecclesiastical question has been forcibly brought to our attention by the language used by Lord Salisbury and the Chancellor of the Exchequer. The Prime Minister said that the object and scope of the Bill would be to place denominational schools in a position where they could not be shaken; and the Chancellor of the Exchequer ascribed it to the necessity of saving denominational schools. Therefore we cannot ignore the ecclesiastical side of the question. What, then, will be the result of the ecclesiastical provisions in the Bill? It is necessary to distinguish between town schools and country schools in considering this question. In towns, especially in the North of England, the fees, as a rule, are much in excess of what would be covered by the 10s. grant, and the voluntary schools there will be placed at a considerable disadvantage. They will have to raise their subscriptions, and it is by no means certain that this can be done. Therefore, unless there is a larger rally to the denominational schools in the manufacturing towns by subscriptions, those schools will be unable to maintain themselves. Board schools will come in, and the schools will become free. But in the rural districts the managers will gain, and the Government will attain their object of easing the burden of local subscribers and of confirming the clerical control of these schools. I think we ought now to get rid of the word "voluntary," because these schools will be State-supported, though left under denominational and, in many cases, under clerical managers. I think that no school should be in the hands of one denomination, and I should be glad to see schools managed by elected bodies. I admit, however, that in the case of towns there may be a case for allowing denominational schools, because it might be argued that there is no reason why we should not allow a denominational school to be managed on its own principles so long as there is no grievance on the part of the other children. I do not personally adopt that view, but I admit there is great force in it. It may also be said that there are advantages in having schools under a variety of private management—that there should be an honourable rivalry between schools of one denomination and another. Denominational schools in towns or thickly populated districts stand on the whole on a different basis to those in the rural districts, where often the denominational school is the only school, and to which the child is compelled to go. It goes there on sufferance; it is to be treated exceptionally and to be tolerated. Is that right and fair? The Dissenter is just as much a taxpayer as the member of the Church of England, and the child of the former is entitled to equal terms with the child of the latter. We want something more than toleration. We want equal civil rights, and the right hon. Gentleman may rest assured that the claim will not be allowed to rest. That is a grievance of which we complain, and it is one which is greatly aggravated by the present Bill. I read with some interest the evidence before the last Royal Commission, and the argument was used that the State made a payment in respect of secular, and not religious, teaching. That might be so, while the denominational contributions bore a large proportion to the State grant; but when denominational schools are almost entirely supported by the Public Treasury, then the argument is destroyed, and we claim whatever power the denominationalists have now in the control of their schools. What will be the consequences of this Bill? I am not surprised that many Members think it will work dangerously to denominational schools. I entirely agree with that view. The most probable forecast is this: Board schools will increase in towns, particularly in the North of England; the people of the

country at large will become more and more accustomed to seeing education conducted by publicly-elected bodies, and the more Board schools cover the ground in towns, the more anomalous and indefensible will be the position of schools in the country districts. We shall, therefore, have a stronger feeling over the whole country in favour of School Boards than we have at this moment. We will in the end see a sort of rural revolt. When the benefits of Local Government work down into the districts, there will be a strong feeling among the inhabitants of rural parishes that they should have control of their own schools. I believe, therefore, that the ultimate result of this Bill will be to strike a fatal blow at the denominational system. I may be asked why, then, am I discontented with the Bill. I say, with all sincerity, that I care more about education than about anything else, and I look forward with regret to the prospect that our education in this country will for some time to come involve ecclesiastical controversies. I believe in the interests of denominational schools themselves the Government would have done far better had they accepted some one of our proposals for local control. By so doing, they would have left the Church of England and denominational schools in a better position than they are likely to occupy. I know many think that the true policy of the Church of England is to fight every parish, the weak and the strong. That is a mistake constantly made by the Established Church. They defend what they consider the outposts, lest the citadel be taken. They did so on the Universities question, and on the question of the burial of Dissenters. Has the Church been made weaker by the removal of those grievances? She is stronger. If I may venture to prophesy in the present instance, the effort of the Government to maintain ecclesiastical exclusiveness is an injury to denomination and to the Church of England. Now that the question of civil and religious liberty has been re-opened, we will lose no opportunity of endeavouring to get this Bill amended. Not only have old controversies been re-opened, but new ones have been introduced, and we will lose no opportunity which may be afforded us in the course of politics to get rid of the educational deficiencies which this Bill leaves, and of that ecclesiastical injustice which, as we think, aggravates them.

(1.53.) MR. DE LISLE: (Leicestershire, Mid): I thank Her Majesty's Government for having successfully carried through this Bill, and I do not pretend to argue whether the Conservative or Liberal Party ought to claim free education as their own. Looked at historically, free education is a principle 1,000 years old. We have it in our Westminster school, which is brought down free to the people of England. I congratulate Her Majesty's Government on having given effect to a very ancient principle, which will conduce to the happiness and prosperity of the people. I think it is almost time to drop the distinction between voluntary and denominational or other schools. Practically, all the schools of the country are subsidised to a very great extent by the State. They should be divided into two classes: Board and denominational schools. There is a great difference between the two. The latter while subsidised by the State are not supported by the local rate. The Board schools are supported by the rates. The denominational schools are confined by the 17s. 6d. limit, while the Board schools enjoy an enormous revenue from the local rates. The total yearly cost of Board schools was £3,373,845 for educating 1,468,892 children. The yearly cost of the denominational schools is £4,201,592 for educating 2,262,435 children. The denominational schools educate their children for £2 per head, and the Board schools for about £3 per head. I proposed the other day that there should be some limitation of the extravagance of School Boards, and that the 10s. grant should not be made where the rate was 1s. in the £1. The School Board of London is about to plunge into a 1s. rate. I was very much surprised that the right hon. Gentleman (Sir W. Harcourt) did not come to my assist-

ance, because in 1870 he was very eloquent on the point that the rate should not exceed 1d. in the £1. We were told that it would not be more than 3d., but it has amounted to about 1s. This is a direction in which the present Bill will prove a failure. In the long run those who support voluntary schools will be beaten out of the field by the unfair competition of the School Boards who have the local rates in which the voluntary schools have no share. I suppose we must be thankful for small mercies in these days and be content with what we have got. I very much regret that Her Majesty's Government did not see their way to getting rid of the 17s. 6d. limit which confines denominational schools, and to limiting the extravagance of School Boards. It is useless to say that the ratepayers have the matter in their own hands. But for these defects I think the Government have certainly succeeded in carrying a most admirable Bill, and one of the principle of which they certainly may be proud. The hon. Member for Eccles referred to an expression of mine, which I did not intend offensively. I was representing the views of those who complain of the secularising tendencies of School Boards. I admit the necessity of School Boards where denominational schools cannot be supported. With regard to the question whether Christian teaching should be imparted in Board Schools, I think the recommendations of the minority of the Royal Commission are ominous. The minority, traversing the Report of the majority, state their strong opinion that the moral teaching under the present system had been most valuable; it was given throughout the whole school time, and was not confined to religious teaching, but given through secular instruction. It was not my purpose to say anything offensive to any quarter of the House, and I hope I have justified what I said. I think of all Members of the House, the hon. Member for Poplar may claim the parentage of this Bill. In his evidence before the Royal Commission he made the suggestion which fairly entitles him to that position—that free schools should be established out of the Consolidated Fund. I am sure this Bill carries out his intention. I would only say, in conclusion, that I am certainly in favour of the popular control where the schools are rate-supported, and if denominational schools received a share of the rates, I should be prepared to concede some form of public control. (2.0.)

*(2.16.) MR. BRUNNER (Cheshire, Northwich): It is somewhat difficult, Sir, to answer speakers in their absence. I do not know whether I am at liberty to call attention to the fact that there are not 40 Members present.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. BRUNNER: I should like to assure the hon. Member for Leicestershire (Mr. De Lisle) that we on this side of the House do not impute to him any idea of saying anything offensive to persons opposed to him. We look upon the hon. Member as a most interesting, but, at the same time, a venerable relic, and we are desirous of treating him in a spirit of kindness. The feelings we experience when we listen to the hon. Member for Leicestershire are not exactly the same as those we experience when we listen to the hon. Member for the Bordesley Division, and his leader, the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), when we hear ourselves addressed as hon. Friends by a speaker whose tones are full of sneer, we experience something very like the nausea which is the beginning of influenza, and I should be very glad if the word friend were used only when it means a political friend in this House. Now, complaint has been made that the Government have given way to their supporters. While I thank the Vice President of the Council (Sir W. Hart Dyke) for the great courtesy with which he has conducted these discussions, I am bound to observe that the Government seem to have leaned heavily against us. We have asked for some measure of popular control, and we have been denied the smallest concession in that respect. The question of popular control is very frequently argued as if it

were entirely a matter of religious difference. As far as my experience teaches me, it is nothing of the kind. The master of a school not very far from my home in the North had been in the habit for a considerable time of picking out from a so-called London letter in a Conservative newspaper all the spiteful bits about the right hon. Gentleman the Member for Mid Lothian, and reading them to the pupils. Alluding to the matter in public, a short time after I heard of it, I said that if any schoolmaster who professed himself a Liberal resorted to similar tactics I should refuse to shake hands with him, and regard him as a cad. The schoolmaster gave up the practice, very much to the gratification of his neighbours. The hon. Gentleman (Mr. De Lisle) complained that the Government has not given way about the 17s. 6d. limit. I think the right hon. Gentleman has given way, and to an amount which is a very considerable percentage on the 17s. 6d. We have asked the Vice President to put into the Bill words to secure that any free schools shall be as good in their curriculum as those schools in which fees are paid. He has denied us that concession. Again, the right hon. Gentleman has refused to insist that a certain definite proportion of the income of the voluntary schools shall come from voluntary subscriptions. We think this a matter of principle. We would all much prefer that no fees should be paid at all, and that the schools should be really national schools; but we think it only right that if any set of people claim to themselves the control of the schools, they should be called upon to pay a considerable portion of the cost of the schools. The Government have refused to make a grant for night schools, greatly to my regret. Night schools have been very steadily discouraged by one Administration after another, and my hon. Friend the Member for Rotherham has done very good work in encouraging the supporters of these schools to make headway again. The result of the action of the hon. Member's Society has been that the number of pupils in night schools has of late been largely increased. It is a great pity that a little more money should not have been expended in the encouragement of night schools, for the reason that it is largely in the first year after leaving school that boys and girls feel for the first time the advantage of the education they have received. I should have been delighted if the Government had done something which would have encouraged our young people to continue their education in night schools. I give the right hon. Gentleman fair warning that I mean to agitate and agitate until he gives way as to night schools. Again, the Vice President has refused to give any definite instruction to the managers of the voluntary schools that they are to use any surplus they may have in the improvement of education. He has refused to give us an audit of the accounts of schools, and what to my mind is rather worse, he has refused our proposal that the managers of schools shall send copies of their accounts to the Local School Authority. I can understand managers resisting an audit. They claim that the schools are private property, as to which they are not bound to account to anyone. But we have the analogy of the local charities all over the country. Parliament has decreed that the managers of charities shall be bound to send in their accounts to the Commissioners, and the Commissioners are willing to supply to the Local Authorities copies of the annual accounts. Why should we favour the managers of voluntary schools in a way we do not favour the managers of charities? It seems to me the duty the managers of the schools owe to the public is just as clear as that the trustees of charities owe to the public. I have recounted a number of cases in which the Government have refused to give way to us. What have they done on other points? No spectacle could be more humiliating than the attitude taken up by Members from Lancashire. I am a Lancashire man myself by birth, and I am proud to think there is truth in the adage that "what Lancashire thinks to-day, England will think to-morrow." I am not competent to say what Lancashire thinks of a section of its representatives to-day, but I am satisfied that England will agree that the continual policy of grab, grab, grab,

pursued by Members from Lancashire on behalf of these half-time full-fee schools has not by any means been a credit to that great county. Especially would I say this with regard to those hon. Members who represent districts in which half-time schools are situated. Those Members have been coming to us all through this Session, asking for consideration for the population in those districts on account of their poverty. They have been asking that they should be allowed to send their children to work at 10 years of age on account of this poverty, these people perhaps the best paid in the country. We have heard since the discussions on the Factory and Workshops Bill from the right hon. Member for Sheffield that these poor little children get no wages for a long time after they attend the factories for half-time; they go to work at half-past five or six in the morning, and they get only half the proper schooling, and are charged the full fee, and it is to these schools that the right hon. Gentleman has been peculiarly generous. I do hope and trust that at no distant date this House will give these Lancashire Representatives to understand that no more concessions of this kind are to be made, and that many of those made will be rescinded. The hon. Member for Bordesley (Mr. Jesse Collings) has congratulated the Government upon this Bill; but I think we on this side have reason to congratulate ourselves, for many of us have been advocates of free education since 1868. That the Bill will do great good I readily grant, that it will be amended hereafter and do very much more good I heartily pray. I congratulate hon. Members on this side upon the passing of the Bill, and I wish I could congratulate them upon having been more successful in amending it.

*(2.34.) MR. BROADHURST (Nottingham, W.): Twenty years ago, when I was a candidate at a School Board election, I advocated free and undenominational education, and ever since I have held the same view. Now, I think the speech of the hon. Member for the Bordesley Division (Mr. Jesse Collings) was conceived with bad taste, and delivered in a bad tone. He seemed desirous of claiming a Party victory in the passing of this measure, and he congratulated the Government and those who had assisted the Government in saving the Bill from dangers that threatened it. But there has been no Motion from this side of the House that was not friendly to the Bill, and all the speeches delivered here have had but one object, the improvement of the Bill, the widening of its scope to make it more efficient, and more useful to the people. I yield all honour to the Government for the drafting and introduction of the measure and for finding the money for the remission of school fees, but to no Party in the House, but to the House as a whole is the final result due. We are glad the measure is about to pass, and I, born in an agricultural district and having knowledge of the difficulties of the agricultural labourers' life and the burden of the tax school fees impose upon him, thank the House and thank the Government for this act of tardy justice to the class. I am glad to know that on this Third Reading stage there is no discordant voice from our side. We admit that the Bill is to a great extent a further endowment of Church authority and Church influence in rural parishes, a fact that the promoters of the Bill and the supporters of the Government have not attempted to conceal. They are desirous of maintaining the influence of denominationalism, which means the extinction of the independence of Dissenters in 10,000 rural parishes throughout the country. It will have that effect no doubt for a time, but it is as certain as the Bill passes this House to-day that this will not be allowed to endure. To the agricultural labourer and his family it is, of course, of the greatest importance to be released from the payment of school fees. Yet the Dissenting agricultural labourer is as keenly alive to the necessity of religious freedom and equality as are the dwellers in the towns. That religious freedom and equality will inevitably follow in the wake of this

measure, and before many years have passed. You cannot hope in these days to continue to use public funds—the funds of the taxpayers for the advantage of one religious denomination. It is hopeless to suppose that such a system can continue to prevail, and all these props set up by the Government in this Bill for the maintenance of denominationalism will surely, and in natural course decay, and those strong enough to resist the natural process will certainly be removed ere long by Liberal legislation. I am delighted to witness the passing of this great measure, and I can fully appreciate its enormous advantages. I have experienced all my life the disadvantage of the want of early instruction. I know that there are thousands of children among the labouring community as capable of receiving and using instruction as the children of the wealthy class. The opportunity has been denied them in the past. Only want of opportunity has prevented many of them from rising to positions of influence and public usefulness. This measure will to a great extent remove the initial difficulty from the labouring classes, and so far as it does that it is a great measure worthy of the commendation of the House of Commons and the thanks of the whole country. But let it be for all time understood that there have been no stronger supporters of the Bill in the House of Commons than the Members sitting on the Liberal Benches. During the whole of the Debates on this Bill we have not heard a single speech from the other side of the House in praise of education for the people on its own merits. Yes, I have listened with attention throughout the whole of the Debates, and there has been no great speech from that side in praise of education, and the merits of education; but there has been a continuance of Party and sectarian wrangles as to whether denominational schools would be benefited or not. In the speech of the Chancellor of the Exchequer to his constituents, a few weeks back, in commending this measure he did not commend it as a great means for aiding and developing the intellectual resources of the labouring community, he only recommended the Bill, because, he said, if his Party did not pass it the other Party would do so, and it would be so much the worse—for what? For education? Nothing of the kind. There was no appeal to the patriotic instincts of his constituents in favour of education, he appealed to them to support the Bill, because the other Party if they passed such a measure would make it worse for denominationalism than his own Party would. But I hope the occasion for recrimination has gone. They would not have been raised to-day but for the friends and supporters of the Government, the tail, I might say, of the wooden horse, dragged out by the hon. Member for North Islington (Mr. Bartley). I rejoice that the Bill has reached this stage, not for the sake of Party purposes or any political advantages. I would rather that the labourers should have this free education, though denominational teaching is mixed up with it, than that they should not have it at all, for I am sufficiently acquainted with the labourers to know that they will use the advantage this measure will confer to free their schools from the dictation of the parson and the squire, and will place control in the hands of representatives of the people duly and publicly elected. I am delighted, I say, at the passing of this measure, and I think it a great privilege and honour to have a seat in this House, and to be permitted to say a word in favour of a measure that will go far to raise the status of the labouring community, and enrich the nation, giving to the working classes the opportunity of taking a high position in the future in the affairs of the country. I feel it a great privilege to be able to say "Aye" to the Third Reading of this important measure.

(2.45.) MR. SINCLAIR (Falkirk, &c.): I join with the hon. Gentleman who has just sat down in thinking it a privilege to be a Member of the House of Commons which passes this important measure. It certainly, if it does not crown the edifice of education, lays another stone which will carry the building up towards that crown which some day we may hope to see. I join too, in saying that though credit is in the first place due to the Government for the

introduction of the Bill, so is it due to the entire House for the way in which the Bill has been carried through. Nor do I wish to exclude even those 10 or 12 Members who opposed the Second Reading, because I believe that every one of them is an educationist, and did not oppose the Bill from an educational point of view. I was very much struck with an observation from my hon. Friend the Member for Carnarvon, in dealing with a point frequently raised, that the Bill would strike a fatal blow at voluntary schools, that this could only be under certain conditions; if the managers of voluntary schools do not rise to the occasion, a fatal blow will no doubt be struck at the system, but if they rise to the occasion, if they make their schools effective in the future, instead of a blow struck at them this will be a pillar raised for their support. Our system of education throughout is not, and should not be, of one cast-iron design; it is to the advantage of the country that it takes different shapes, and when this Bill becomes law we shall see in the future, as we have seen in the past, voluntary schools and Board schools flourishing side by side. There is really no antagonism between the two systems. I have not been a member of a School Board, but I can speak from personal experience as manager of a voluntary school some time ago, and I know that in Liverpool, ever since the Act of 1870 passed, the managers of the Board schools have unquestionably derived great assistance from experience in connection with voluntary schools. In only one instance have I found the religious difficulty arise, and that was very soon got over. It is not truth to say that the Board school teaching is irreligious, or that morality and religion are not recognised in the instruction given. I, of course, do not speak for all, but, speaking generally, I believe that in the management of Board schools the education is given a religious turn; there is the force of religion behind it just as much as in the voluntary system. I may mention that the Chairman of the Committee of Management of the School Board to which I refer is Chairman also of the management of a voluntary school in connection with the Church of England, and though his colleagues are not in connection with that Church yet they work most harmoniously together, and the education given in the Board schools is thoroughly efficient. We shall find, I believe, in the future that efficiency under either system will be in no way diminished, but the competition will be as useful for education as it has been in the past. I may take the opportunity to mention a fact that has not, I think, been referred to, that the amount derived from the rates in aid of education is not a very large amount. In Liverpool, to take an example, a sum of about £54,000 comes from the rates in support of schools, but of this sum only £11,000, or 20 per cent., is devoted directly to educational purposes. The balance is applied indirectly and to such purposes as the payment of interest due in connection with the erection of school buildings, the repayment of principal, and the enforcement of the compulsory clauses. In this voluntary schools and Board schools equally share the advantage. I join in the expression of regret that the Government have not thought right to assist continuation schools, for our system permits children to be withdrawn from school too soon for the completion of their education. One of the best parts of the Bill is the clause which sanctions children remaining at school until 15 years of age without payment of fees. In closing these few remarks I venture to say it is not given to every Minister to introduce Bills having such far-reaching consequences as those which must attend that which it has fallen to the lot of the present Vice President of the Council to propose. Most ably has he piloted this Bill through the House. This is not the first time he has so well discharged similar duties. Not many Members probably remember that when the right hon. Gentleman held the office of Chief Secretary for Ireland, he had charge in this House of the first Ashbourne Act, an Act which has been productive of more benefit to Ireland than any other Land Act, and of which the Land Purchase Bill we have just passed is but the supplement and complement. I trust that the success which has attended that Act in Ireland will be repeated over a wider area in con

nection with this Bill with which the name of the right hon. Gentleman is associated.

(2.55.) MR. STEPHENS (Middlesex, Hornsey): I was, unfortunately, prevented from moving the clause which stood in my name on the Paper yesterday, and may be allowed a few words at this stage. It is to be regretted that the Vice President has not repaired what must have been an omission in the drafting of the Bill. The Bill rests so far as voluntary schools are concerned on administration of schools by managers, but it is a fact well known on both sides of the House that in many schools there is no manager. It is a delusion to suppose that there are only a few schools in the country which are not under the administration of a committee. It is a delusion to assume that the managers always sign the documents constituting the authority for the payment of the annual grant. Many Members of this House, I feel sure, must often have been asked to sign such documents, although they might know little or nothing about the management of the schools for which the grant was claimed. This state of things has already created some hostility against the voluntary system, and under this Bill the mischief will be still more serious, for there is a likelihood of the increase of arbitrary and irresponsible management. Provision ought to be made against despotic management, and I trust that the point will be dealt with in another place.

(3.2.) COLONEL NOLAN (Galway, N.): I think almost every Member of the House is delighted that parents are in future to be relieved of the Poll Tax which they have hitherto had to pay in the shape of the school fees of their children. The Bill has been made to a certain extent a battle field between the respective supporters of secular and denominational education. There were two remarkable speeches delivered at the beginning of this Debate—one by the hon. Member for Eccles (Mr. Roby), expressing regret that the Bill had not been made more of a settlement, and the other by the hon Gentleman the Member for South Aberdeen. The latter was a very fair speech from the hon. Gentleman's point of view, although I think the practical effect of his views would be to crush out the voluntary schools and to have a large system of education with a certain amount of religion, defined by Act of Parliament, introduced into it. The question of denominational or secular education is not necessarily mixed up with that of free education. Roman Catholics could send their children to a secular school, although they would prefer not to do so, but they would rather suffer persecution and imprisonment than send them to a school where there is given a certain amount of religious instruction which is not that sanctioned by their own Church. I understand the hon. Gentleman to give us fair warning that in future times he and his Party will attempt to introduce a system of that kind.

MR. BRYCE: What I argued for was the establishment of complete religious equality in those schools which are alone accessible to the children in any district.

COLONEL NOLAN: I had better not, perhaps, follow the right hon. Gentleman into that subject, because we are all agreed about perfect religious equality. The desire of those Members who are anxious for denominational education has been in these discussions, not to gain any point for denominational education, but to prevent this Bill being turned into an engine for secular education, or for the control by one denomination of the religious education of another. Fortunately most of the Amendments that would have been detrimental to voluntary schools have been rejected, and the question between denominationalism and secularism has been left as nearly as possible where it was. The Bill does not extend to Ireland, where, however, it may have a serious indirect effect, for already large numbers of parents are saying that, as there is to be free education in England, they do not see why they should pay for it in Ireland. I hope the right hon. Gentleman the Vice

President will represent the matter to the Government. It is easy to get it into the heads of the people that they ought not to pay money, and it will take a long time to convince the people that they are not taking a right view of the matter. The result will be that education in Ireland will suffer.

(3.9.) MR. J. LOWTHER (Kent, Thanet): I look upon this Bill as the complement of the Act of 1870. When that measure was before the House I protested against the enforcement of compulsory attendance, with its consequent burden upon parents, not of fees only, but of the loss of the labour of their children, and I took the sense of the Committee on the clause which enforced compulsory attendance. I pointed out that it was an injustice to the great mass of the people, and I took the liberty of dividing the Committee against the clause. I was supported by a very appreciable number of Members, though defeated by what may be called a considerable majority. More than 100 Members followed me into the Lobby, and I am by no means ashamed of the course I took on that occasion. I have been greatly struck by the altered tone which has been adopted as to the question of education during the discussions on this Bill. Of course I make allowance for the altered views which are entertained on many subjects in our day, but throughout these Debates I have heard scarcely any reference made to the pecuniary burden cast upon taxpayers as well as upon ratepayers. I am not going into the question of whether our action is right or wrong, but by this Bill we are simply adding in perpetuity 1d. in the £1 to the Income Tax. That is what it will resolve itself into. I have no doubt I shall be told we are simply dealing with a surplus, but I deny the existence of any surplus at all, because, without going into an analysis of this somewhat nebulous surplus, as is well known, we have been with one hand borrowing for the current requirements of the year, and with the other spending money in addition to that required for the ordinary expenditure of the year. All this involves a distinct contradiction of what we were told by Mr. Forster in 1870—that the School Board system would not, in the lifetime of anyone listening to him, cost more than 3d. in the £1. ["No, no!"] That is an historical fact which I commend to the attention of hon. Gentlemen opposite who do not seem to be acquainted with it. The question remains—how far are we safeguarding the interests of taxpayers and ratepayers in the course we are adopting? I am well aware that the interest of the ratepayers and of the taxpayers of the country are very little thought of nowa-days. The vast majority of those who have to spend the money raised by the rates, and who return to Parliament the men who raise the taxes, pay an infinitesimally small proportion towards the taxes they spend, and, therefore, the interests of the ratepayers and the taxpapers go by the board; but, at the same time, I hope the House will note that an additional burden is being permanently thrown upon the income tax and upon the rates by this measure. I may, perhaps, be told that I have no right to earmark the income tax as the source from which these funds are drawn, and that no additional burden is being thrown upon the income tax by this Bill; but my reply is that when a future Chancellor of the Exchequer has to choose between taking off direct or indirect taxation, he will find himself compelled to select the latter, and, therefore, the burden will be left upon the income tax and upon the rates. One of the grounds upon which I felt bound to oppose the Act of 1870 was because I feared that the School Boards would be subjected to the influence of self-opinionated *doctrinaires* on both sides of the political line, who would be very apt to endeavour to carry out their fads regardless of the cost that might be imposed upon the ratepayers or the taxpayers of the country. I cannot say that the gloomy forebodings that I then entertained have been belied by the subsequent experience of the last 20 years. The Government, I have no doubt, when this Bill was introduced, thought they had better leave all the machinery of the Act of 1870 to stand by itself, and that they need only concern themselves with the one single question of freeing the parent from the duty he

had to discharge in regard to the education of his child. No doubt those who support this measure may think that those who oppose it do so because they regard a Bill which frees the parents from the discharge of their duty towards their children as objectionable, because of a Socialistic character. For my own part, I cannot go that length, because I have always held that when Parliament steps in and interposes the law between parents and their children, and makes the attendance of children at school compulsory, Parliament should pay the cost itself. On this question, therefore, I have felt it to be my duty to differ from those Members of my Party with whom I am accustomed to act. Parliament having interfered into the domestic life of the country to this extent is bound to provide the money for carrying out the object that it has in view. I think, however, that the Government are wrong in supposing that this will be a universally popular measure throughout the country. On the contrary, I have found that there is uncommonly little enthusiasm evinced in its favour, even in quarters where one would expect some anxiety to be felt for relief from the burden of school pence. I believe that even in the rural districts uncommonly few people appreciate the boon that the Bill is intended to confer upon them, while in the great urban districts the measure appears to be received with considerable distrust, and I am afraid that it will give cause of offence in those quarters from which Her Majesty's Government derive their strongest political force. It may be that my views are erroneous. My own view is that there has been a vast amount of exaggeration on both sides. I believe the popularity of the measure has been enormously overrated, while I believe that many of the objections that have been raised to it in the towns will be found by practical experience to have been to a great extent overstated also. But there is one point, and one only, which I would venture in a very few words to urge on the notice of the House. The right hon. Gentleman—whose able conduct of this Bill is, I am happy to find, so generally appreciated on all sides of the House—said that a large discretionary and controlling power will remain vested in the Education Department in regard to seeing that fair play is maintained amongst the various interests concerned. Now, I confess that I do not coincide with the right hon. Gentleman in thinking that that is a point from which any great consolation is to be derived. What does "department" mean? We are familiar enough with the expression "My Lords," but that generally means some 5th class clerk who arrogates to himself that title. I have myself known requisitions made for structural alterations involving very material cost to the managers and owners of voluntary schools. One day it may be perhaps thought that a classroom is required because the isolation of certain grades of children recommended itself to "my Lords" and their nominee. At another time precisely the opposite theory may be in vogue, and we may be told that the main structure of the school requires enlarging at very great cost. I heard the other day of an Inspector going down to a certain place and actually talking of a cloak room being built—I suppose on some architectural principle, which "my Lords" thought of enforcing at great cost and injury to the system of voluntary education. These are the points I would venture seriously to urge on the notice of my right hon. Friend. I hope that some means will be taken to prevent the heads of Departments in future going in for measures of this kind, which have in the past been found to be a serious impediment to the efficient working of the voluntary schools. There is one fallacy which pervades the replies of the right hon. Gentleman the Vice President of the Council, and to which I should like to draw his attention. He seems to think that he has conclusively replied to the objections urged as to his measure pressing hardly on the voluntary schools, when he says that the Bill will affect equally the voluntary and the Board schools, but that is not quite an accurate statement, because there must always be a great distinction between the School Board schools, which are supported out of the rates, and voluntary schools, which are struggling for their existence, and which can only look to voluntary subscriptions. In connection with the

Board schools, those who spend the rates are not largely affected by the imposition of the rates, but in the case of the voluntary schools, those who are mainly interested in them have to provide a large proportion of the funds necessary to carry them on. But my main object in rising was to enter a protest against the disregard that has been shown on this question for the interests of the ratepayer and the taxpayer. Education, no doubt, is a great boon and a great benefit to the great mass of the people, but, at the same time, when the Act of 1870 was agreed to, the idea was that elementary education alone was to be given at the expense of the ratepayers and of the taxpayers, whereas now we have gentlemen urging on the Vice President of the Council the necessity of arranging costly classes for the completion and finishing of what goes perillously near the higher order of education. I cannot help thinking that we have unlearnt many of the lessons we learnt in 1870. ["Hear, hear!"] An hon. Member says "Hear, hear!" Is he acquainted with the scandalous extravagance of a former London School Board, which was thoroughly exposed in this House? We have heard of the purchase of pianos, and luxuries of that kind, at the expense of the most needy section of the community. I hope that the right hon. Gentleman will give the House some assurance that some limit will be placed upon the future expenditure for educational purposes, otherwise I am afraid that we shall find ourselves committed to a system of absolutely reckless extravagance.

(3.28.) SIR W. HARCOURT (Derby): I do not desire to interpose for more than a few minutes at this stage of the Bill. The measure was originally introduced as one to further assisted education, bnt I think that Her Majesty's Government may congratulate themselves with regard to it on having acquired the right to the title of an assisted Government, so far as the Opposition is concerned. I have now been in Parliament for a good many years, and have had the satisfaction of seeing many Liberal measures carried by a Conservative Government, and when each such Bill is on the point of being passed we have always seen some such scene as we have just witnessed. We always have some staunch Members of the Party opposite, like the hon. Member for North Islington (Mr. Bartley) and the right hon. Member for Thanet (Mr. J. Lowther), who have wailed at the fate of the principles they at one time entertained. The hon. Member for North Islington has refreshed the House with a classical quotation from Dryden's "Virgil." If he will permit me I would apply to him another classical illustration: *Victrix causa deis placuit, sed victa Catoni*, and will say that if the conquering cause of free education has recommended itself to the gods on the Treasury Bench, the hon. Member for North Islington well represents the *atrocem animum Catonis*. Faithful to his principles, he has clung to them to the last. Well, that is not a new spectacle. We remember the language of Mr. Disraeli on the repeal of the Corn Laws. We remember the sentiments which were expressed in 1866 by Lord Salisbury with reference to the reform of that year. Many evils were predicted. It was said that the ruin of the country would ensue from the adoption of Free Trade, and the destruction of the Constitution from Household Suffrage. Somehow or other we have managed to survive these things, and I hope we shall survive the evils which have been predicted from the adoption of Free Education. We have had experience of dissentients on this side of the House, and we are not surprised to find dissentients opposite. But I am not going into the details of the Bill. The hon. Member for Eccles and the hon. Member for Aberdeen have pointed out what, from their point of view, are the defects of the measure. I will only say that recognising, as Members on this side do, the great boon which the Bill will confer upon the poorer classes of the community, we still regret that it should be defective in some respects. To some gentlemen the defects are a recommendation. We have heard recently that the incompleteness of the measures of Her Majesty's Government are their main recommendations to certain gentlemen who sat on that side of the House, and I

am, therefore, not surprised that the admirers of incomplete legislation should welcome this Bill as the perfection of human reason. One of those gentlemen, meaning to administer consolation to the hon. Members for North Islington and Thanet, pointed out certain things that made one think that there is still balm in Bordesley, and that there are still physicians there. That is to me a melancholy recollection, because, when the right hon. Member for Thanet was speaking, my mind was carried back to the days of 1870. We then sat opposite one another as we do now, and if the right hon. Gentleman maintains the sentiments he advocated in those days, I also maintain the sentiments that I then advocated. The hon. Member for the Bordesley Division was good enough to bear testimony in that respect, though he seems to have forgotten that I no longer hold the office of Home Secretary. I regret that having contended in those days for the principles of the Birmingham League—free education, School Boards everywhere, and popular control—the chances of carrying out those principles have been defeated by the very gentlemen who were then the leaders of the Birmingham League. The hon. Member for Bordesley, who was Secretary to that League, while complimenting me upon my adhesion to those principles, has himself abandoned them. We have achieved, after 21 years, the cause of free education; I hope that it will not be so long before we achieve the rest of the principles that were maintained by the Birmingham League, and which we might have achieved at this time if the Representatives of Birmingham had been faithful to their own friends. There are two features which we regret are absent from the Bill. We are sorry that the principle of popular control has not been established in the Bill. I was rather struck by a sentence in the speech of the hon. and gallant Member for Galway (Colonel Nolan). He said what "we object to is that men of one class of religious opinion should manage the schools of persons who don't belong to the same opinion." It is exactly upon that ground that I object to the management of the rural schools being exclusively in the hands of persons with one set of religious opinions. Therefore, when the hon. and gallant Member advances arguments which he thinks are in favour of denominational schools, he is using the strongest arguments in condemnation of the denominational system. Another thing which I regret is that we should be advancing £2,000,000 under a Bill which practically gives no security for advance in education. The main thing which the Government has done is to safeguard and protect the denominational schools. It has never been on the other side a question how far these £2,000,000 are to be expended to advance education, but how far it is possible to spend £2,000,000 and redeem the fees without injury to denominational education. I believe the more we make it apparent that the cause of denominationalism is in opposition to the interests of education, the more certain it is that in this country the denominational system will come to an end. I should not like to sit down without recognising, as gentlemen on all sides recognise, the extreme ability and courtesy with which this Bill has been conducted by the right hon. Gentleman, who disarmed opposition, and certainly stifled *tu quoques* by the frankness of his confession in his opening speech that he has changed his mind on this subject. I believe that the responsibilities of office have the effect very often of altering the opinions of persons whose views have been founded only on theory before. I remember altering my views with regard to the liquor question when I was Home Secretary, and I am sure the experience of the right hon. Gentleman in the Education Department has made him alive to the interests of free education. I have observed that no man ever entered that Department without embracing more liberal views on education than he entertained before. When a man comes frankly forward and says he has changed his views, we accept that declaration at his hands. But I cannot speak in the same terms of the two great protagonists in the cause of free education—the Chancellor of the Exchequer and the Member for West Birmingham. As there is only one of those right hon. Gentlemen present I will only speak of him. The right hon. Gentle-

man opposite advocates the measure, not because the dread of dangers of a socialistic character has been removed from his mind, but because it is possible that the successors of the present Government might carry out measures more injurious. I never heard great principles of public policy maintained on such grounds. When Sir R. Peel changed his views and adopted the policy of Free Trade, he said it was because he was convinced it was a sound and just policy, and he was prepared to recommend it to the country. So when Mr. Disraeli proposed Household Suffrage he did not admit that his opinions were unchanged. It was a more reckless politician who said he had adopted it for the purpose of "dishing the Whigs." I observe that the nearer the present Government approach the General Election the greater seems their dread of their successors. It is quite plain that they do not anticipate being their own successors. They proceed, as a beaten and retreating army sometimes do, to devastate their own country and burn their own villages in order that their pursuers may be starved out. That is the policy of a great Administration representing a great Party. That is the policy which the Chancellor of the Exchequer says lies at the root of free education. [Mr. GOSCHEN: I did not say that.] I am merely illustrating the position of the right hon. Gentleman. There is another thing which is noticeable, namely, that as a General Election approaches the Conservative Party become more and more enamoured of Liberal measures. To recur to a military image, they have put on "the uniform of their opponents" in order that they may be mistaken for the other side. That is the policy which is favoured by the Chancellor of the Exchequer. There is only one thing wanting in this Debate. I remember that when Sir R. Peel passed the measure for the repeal of the Corn Laws he paid a well-deserved tribute to the unadorned eloquence of Richard Cobden. I think we ought to hear to-night similar grateful testimony from the Chancellor of the Exchequer to my right hon. Friend the Member for West Birmingham (Mr. Chamberlain). After what has passed upon this subject a compliment of that kind would be well deserved. I remember perfectly well that differences of opinion upon that subject existed between the Chancellor of the Exchequer and my right hon. Friend, and I am glad to think that those differences have been completely removed. With reference to the measure generally, though it is not all we wish it to be, or all we intend it to be in the future, we can accept with satisfaction what has been obtained. The Party who are in favour of complete legislation may look with satisfaction to the legacy of incomplete legislation that has been left them by the Party of "incompleteness." With reference to this Bill, I may venture to repeat what I said with reference to the great Bill of Mr. Forster in 1870. Differing, as I did, from many of the principles on which that Bill was founded, I felt no man could deny that it marked a great advance in the cause of education in the country. I ventured then to say of that Bill what I say of this Bill in the words which end the great romance of Sir Walter Scott,—"There are many things that are ower bad for blessing, and ower gude for banning; like Rob Roy." I think that may be fairly said of a measure like the present. It contains great good, and also some evil—evil which may be remedied in the future; and we may all be glad, at least, at having taken part in passing a measure which will be a great relief to the poorer classes of the population, and which we hope in the long run will lead to the extension of the cause of education.

*(3.50.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE): I have listened to the Debate with great interest, and I should be ungenerous were I not to thank hon. Members for the allusions they have made to my conduct of the measure. I have had a difficult task, and I have done my best. That is all I wish to say concerning my conduct. I wish also to be allowed to offer my thanks to the First Lord of the Treasury for the constant advice and assistance I have had from my right hon. Friend in carrying forward the measure. As far as I am concerned, I am satisfied with this discussion. The Bill has been, as I always expected it would be, criticised on both sides of the

House from adverse points of view. The measure in its inception and production was essentially a compromise between contending parties, and I think the criticisms we have heard from various quarters show that we have, at all events, arrived at something like a balance of opinion. The right hon. Gentleman (Sir W. Harcourt) has criticised the Bill in a very adverse spirit. I am not sure whether in one part of his speech he did not come perilously near a *tu quoque*. He alluded to the prospects of the Party opposite at the next election, and he indulged in metaphor. I remember in bygone days that Lord Beaconsfield, contemplating a General Election, also descended to metaphor, and referred to the members of the Administration of 1868-74, at the conclusion of their labours, as a row of extinct volcanoes. Perhaps the right hon. Gentleman opposite will find, when the picture he has imagined appears on the canvas, that it is painted in totally different colours from what he has assumed. In the first place, the right hon. Gentleman assumed that his opponents would all run away. I can assure the right hon. Gentleman that those who have done battle for the Conservative Party, some of them for a quarter of a century, have not won their laurels by running away; and, whatever panacea they may seize upon for any evils which threaten, the last thing they will think of doing will be to run away from their opponents. I should like to deal with one or two points of interest in the discussion. And first of all I must refer to the Virgilian oration of my hon. Friend the Member for North Islington (Mr. Bartley), who has had the cast of gloom on his countenance ever since the introduction of this Bill. My hon. Friend endeavoured the other day to impress upon the House that the Bill was introduced at the bidding of the right hon. Member for West Birmingham. I can assure the hon. Member that he never made a statement more at variance with the facts. The Bill was introduced in pursuance of a pledge given long ago, and I fearlessly assert that if there was one cause more than another which induced the Government to produce the Bill it was the strong pressure brought to bear upon them by a very great number of their own supporters. The hon. Member stated that the Government had conceded everything to hon. Members opposite, and rejected proposals coming from their own side. The statement is unjust, unfair, and absolutely devoid of truth. I have gone most carefully through the Bill as it is to-day and compared it line by line with the Bill as read a second time, and I find it has been modified in only three or four particulars at the suggestion of hon. Members opposite, and with regard to the most important of the Amendments, the raising of the age from 14 to 15, that concession was made at the last moment by the First Lord of the Treasury in deference to the pressure of a large body of opinion on this side of the House. At the suggestion of the hon. Member for Poplar (Mr. S. Buxton) a very small Amendment was accepted—that is to say, where fees were imposed in a school a Report should be made to Parliament. In addition, there was a verbal Amendment, proposed by the hon. Member for Huddersfield (Mr. Summers), and one other Amendment moved by the hon. Member for Bethnal Green (Mr. Pickersgill), that where fees were reimposed they should not exceed 6d. These were the sole alterations made at the suggestion of hon. Members opposite. I will now deal with the concessions made to hon. Members on this side. In the first place, there was the Amendment moved by the hon. Member for North Lancashire (Mr. Ainslie), urging the Government to make the age for free education begin at three years. That was accepted, and it was an enormous concession for the benefit of voluntary schools. Then there were one or two Amendments introduced by the hon. Member for Wigan (Mr. F. S. Powell) and others of an unimportant character. Then there was a clause introduced by the noble Lord the Member for Darwen (Viscount Cranborne) as to the grouping of schools, which was of the utmost importance. What happened with regard to the matter? When my noble Friend brought that clause forward the First Lord of the Treasury promised that Her Majesty's Government would carefully consider the matter with a view to introducing

an effective clause. As a result we spent the greater part of a day in considering the question, and a clause dealing with it was carried through Committee. Another demand which was conceded was that relating to half-timers, which was a considerable concession. One other Amendment on Clause 3 related to change of population in school districts, which resulted in obvious advantage to voluntary schools. That is not a pleasing matter for me to deal with, but I feel bound to say that since I have been in Parliament I have never known so wild an assertion as that made by the hon. Member for North Islington supported by so little fact. My hon. Friend the Member for Cheshire urges that we ought to have inserted in the Bill that the payments were to be made quarterly. I can only repeat that there is in the Department a scheme ready prepared by which, if the Bill should become law by September 1 next, the first payment will be made on September 30, and the payments will go on quarterly until the end of the school year. There is a distinction between the position I take up and that taken by hon. Gentlemen opposite as to the future of this measure. It must in the future be an educational measure. It will be very easy in a few years to raise the standard, and perhaps to have one universal standard of exemption—the fifth. We are making steady progress, and I hope that in a few years we shall be able to show not only progress in the elements and in book work, but also in education which is of a real, practical, and useful character. Such a scheme has been shadowed forth in the Code, and I hope that before long a good harvest will be reaped. With regard to attendance, there will be a great change after this Bill is passed. Hitherto it has been in many cases impossible to secure a conviction against poor parents who say they have difficulty in getting the school pence together to pay the fees for the education of their children. The humane feelings of the Magistrates prevent them from convicting in such cases. After the Bill passes that excuse will be no longer available, and the laxity of attendance which results from it will be cured. The hon. Member for Hornsey has made an appeal with reference to the number of managers. No doubt it is a grievous pity that there is not a greater and more complete interest taken in the management of small voluntary and Board schools. After all the Debates that have taken place, I am not able to alter the original estimate I made as to the future of education in connection with the Bill. Gloomy predictions have again been made by the hon. Member for North Islington, but as regarded him and hon. Members opposite who see in that Bill an engine for the destruction of the voluntary schools, I think they are misjudging and miscalculating the resolution and courage with which the new situation will be met by the managers of the voluntary schools. I know it will be urged, and with truth, that there is a difference between the enterprise of the North and the South of England with regard to voluntary schools. How that comes about I cannot say, but I think that one of the first effects of the Bill in the North of England and in large towns will be that comparisons will be made between the subscription already made in voluntary schools and the liabilities which many persons in the South have willingly incurred. It has been the habit with many of us not only to subscribe, but to render ourselves liable for any deficit in the school accounts. That is a practice with which I have for many years been personally acquainted. Hon. Gentlemen leave out of account two facts—they do not recognise the spirit and energy with which the Bill will be met by the managers of voluntary schools and the dread and terror of the large expenditure of the School Board, and the fresh energy and impulse with which such terror will naturally imbue those who have an interest in the educational reforms of any district in the North of England. I am grateful to hon. Members on both sides of the House for the generous assistance which they have given me. Whatever the educational future of this country may be, I hope that my successors will, as I have always done, endeavour to remove that question from the domain of Party politics. With regard to the advantages conferred by this measure, I hope that we shall strengthen, on safe and broad lines, our educational system, and that it will be a

great benefit and an intense relief to a large mass of our fellow-countrymen.

*(4.20.) MR. CREMER (Shoreditch, Haggerston): I also wish to congratulate the right hon. Gentleman on the ability and moderation with which he has piloted this difficult Bill through its various stages. When the Bill was under discussion I purposely abstained from taking any part in it, as I was anxious to see it passed safely through the House. I did so, not because I was satisfied with it, but because it recognises the right of the people to free education, and although, like nearly all popular measures which emanate from the other side of the House, it bristles with precautions and securities, I felt certain that at no distant date these precautions and securities will disappear. For upwards of 10 years I sat upon a School Attendance Committee in the Borough of Marylebone. In many cases of non-attendance which came before the Committee the fault rested with improvident or drunken parents, but in the majority of instances it was the absolute poverty of the family which kept the children from school, and rendered the payment of school fees impossible. The pinched features and half-starved condition of many of the parents and children were heartrending, and, poor as I was, I occasionally helped them to obtain a meal, other members of the Committee did the same, and it frequently happened that instead of enforcing the law the Committee winked at its violation by adjourning cases, so as to afford the parents an opportunity of obtaining the means of sending their children to school. Magistrates were also known to be influenced by the same humane considerations, and I am satisfied that the Bill will remove one great difficulty by rendering the task of school committees and Magistrates, when cases with regard to school attendance come before them, very much easier, and will remove a great deal of the friction which has existed in working the machinery of the Education Act. I hope that before many years we shall see an absolutely free system of education throughout the United Kingdom. I am glad to see the zeal for education which now exists on both sides of the House: it was not always so, and, as far as I can see, the general conversion dates from the time when household suffrage was enacted by the British Parliament. This measure has been described as a triumph of Party, out of which Party capital is to be made. It is not, however, a triumph of Party, but a triumph of Democracy, and a sign that we are now entering upon an era, not of destruction, but of construction, when more will be expended upon education, science, and art, and less upon ironclads and armies. In this spirit I cordially support the Third Reading of the Bill.

*(4.28.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): My right hon. Friend has been unduly severe upon my hon. Friend the Member for North Islington. My right hon. Friend is himself not correct as regards the facts. If he will refer to the Notice Paper on going into Committee upon this Bill, he will see there were a host of Amendments to reduce the age from five to three, and from all quarters. I am entitled to say this, because my notice headed the long list. I think that it is hardly right for the right hon. Gentleman the Vice President of the Council to claim the credit of reducing the age from five to three as a concession to this side of the House, because both sides deserve the credit of that Amendment.

(4.30.) MR. J. ROWLANDS (Finsbury): I join in the hope entertained by Members generally on this side of the House that the Bill will be read a third time unanimously, because we have long advocated and waited for free education, and are glad we have got an instalment of it at last. My only regret is that the Bill does not go further than it does. I wish to add my voice to the protest which has been made by many hon. Members during the Debates on the Bill, that so large an amount of money as the measure proposes should be granted to the voluntary schools without local control being given at the same time.

Question put, and agreed to.

Bill read the third time, and passed.

COINAGE BILL.—(No. 375.)

SECOND READING.

Order for Second Reading read.

*(4.38.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): While I do not wish to make any protracted observations in introducing this Bill, it is desirable that I should state briefly the amount of light sovereigns to be dealt with under it and the reasons which have actuated me in limiting the Bill to its present proportions. The Bill, as it stands, is a very simple one of only one or two clauses, and does not carry out the scheme which I hoped at one time to lay before the House—a complete scheme not only for withdrawing the light sovereigns in circulation, but for making provision for the future to put the currency in proper order. That is a task which must remain over for another year. It may be asked, however, why, if I cannot make a complete job of the matter, I should proceed with it at all. In answer to that I will only say that it is wise, at all events, that we should make some progress. The experience we have gained in the withdrawal of the pre-Victorian sovereigns was a valuable source of guidance, and if we can make a still further withdrawal of light sovereigns we shall gain yet additional experience for bringing in a complete measure by and by. The House will remember that on one occasion I proposed that £600,000—part of the surplus of the year 1889-90—should be set aside for this purpose. But owing to Parliamentary exigencies we were unable at that time to bring in a complete measure. The time has come, however, when we can no longer delay a further distinct and substantial effort to deal with those evils in the coinage, the existence of which is generally acknowledged. Therefore the Government have come to the conclusion to proceed with the present Bill, reserving the larger reforms to be dealt with on a future occasion. It may be asked why I propose a smaller amount than that which originally seemed to be the proper calculation for the withdrawal of the light sovereigns. I cannot attempt to lay down all the reasons, but I think that £400,000 will be sufficient to withdraw and to recoin a very large proportion of the light gold in existence. There are no means of showing conclusively that that sum will not be enough for the whole, because it has been borne in upon us by evidence from various quarters that the amount of coin in circulation is probably much smaller than the estimates which have been submitted. The first substantial estimate I am acquainted with is that made by Jevons in 1868, which puts the then circulation of gold coin in the country at £80,000,000. Twenty years after this I find, on inquiry at the Bank of England, that the estimate is very considerably higher — something like £120,000,000—and from this it might be argued that during that period an amount of £40,000,000 had been added to the circulation. But these and subsequent estimates have, I think, not taken into sufficient account the sovereigns in the pockets of travellers and others leaving the country. This Mr. Giffen puts at £1,000,000 a year. Mr. Martin, the banker, Mr. Palgrave, and others who have looked into this matter with very great care, have estimated that the amount of sovereigns in circulation is about £80,000,000, and that the amount of half-sovereigns is about £20,000,000, making a total of £100,000,000. Others put it at £110,000,000. All these figures are, of course, extremely shadowy. There are no means of ascertaining the facts. The figures are based on speculation only—ingenious, industrious, but still only speculation. The estimate of the pre-Victorian sovereigns, which were included in the total of £80,000,000, was £4,300,000. It was estimated that it would cost £95,000 to re-coin those £4,300,000. All the light sovereigns of the pre-Victorian period that could be found have now been withdrawn and demonetized, and it turns out that the total was not £4,300,000, but £2,300,000, or not much more than half the estimate, and that the cost was £50,000 instead of £95,000. It seems clear, then, that if practical ex-

periment shows the pre-Victorian sovereigns to have been so much less than was estimated, it is probable also that the estimate in other directions will be too large. I have had some interesting figures given me by Mr. Giffen which I will read to the House. The amount of gold, as stated by Jevons in 1868, was £80,000,000. The gold coined from 1868 to 1889 was £72,000,000. The import of British gold coin in the same period was £90,000,000—giving a total of £242,000,000 to be accounted for. The amount of light gold coin withdrawn between 1868 and 1889 to be recoined was £22,000,000. In the same period the exports of British gold coin amounted to £120,500,000. It is estimated that £200,000 is used every year in the Arts, which in 22 years gives a sum of £4,400,000. These sums, deducted from £242,000,000, leave a balance of £95,000,000. The leakage in the shape of gold taken out of the country by tourists and travellers is estimated at £1,000,000 yearly, so that for 22 years the amount would be £22,000,000. This reduces the £95,000,000 to £73,000,000—a sum which may be taken as perhaps the least uncertain calculation of the amount of gold in circulation. Two of these items are speculative — the amount of gold used in the Arts and the amount of the leakage. I have figures, but it would take too long to give them, with reference to gold bullion, which confirm, on the whole, the figures I have given to the House. I do not base any action upon the figures, except so far that I think it is unnecessary to ask the House to vote so large a sum as was first proposed—a sum which might ultimately prove unnecessary for the work to be done. It is perfectly possible there are less than £73,000,000 in the country; and it is perfectly possible there are more. We are still continuing our inquiries to see how far these figures ought to be modified. The next question arises—What proportion of the £73,000,000 ought to be taken as light coin? Very elaborate calculations have been made by various persons, and I do not think their estimates differ very much. The most elaborate examination was one which was undertaken by the Mint, when it had samples of coins brought simultaneously from 300 post offices. Every coin was weighed and tested, and this conclusion was arrived at: that the life of a sovereign before it is below legal weight is 19½ years, while the life of the half-sovereign before it is below legal weight is only 9 years. The last calculation was that of sovereigns 46 per cent. were light, and of half-sovereigns 70 per cent. were light; but those proportions are reduced by the fact that we have already dealt with the pre-Victorian coins, thus bringing the proportion of light sovereigns down to 43 per cent. instead of 46. If you take 43 per cent. instead of 46 per cent., you arrive at a figure of about £32,000,000 out of £75,000,000. If you take the total at £73,000,000, about £31,000,000 would be the light gold coin in circulation. The experiment made by the Mint was carried out with very great care; but can you judge the ordinary lightness of a sovereign by taking those paid into post offices? I am not sure whether there is not more wear and tear amongst sovereigns so circulating than there is amongst coins which flow into and remain in the coffers of the banks, and which have been till-money for many years, thereby not being exposed to any friction. I submit that it is impossible to arrive at any definite conclusion on the subject, and we must content ourselves with going forward by degrees, and accordingly I ask the House for £400,000, which would have the following effect: We find that the degree of lightness per sovereign of the Victorian reign is 2·57 pence, which gives a loss of £10,700 per £1,000,000. On half-sovereigns the average deficiency is 2·65 pence—that is to say, the half-sovereign loses as much as, or rather more than, the sovereign, not in proportion, but actually; and, therefore, the loss on half-sovereigns is equal to £22,000 per £1,000,000 worth of half-sovereigns. At this rate, £400,000 would re-coin 20,000,000 of sovereigns and £8,500,000 worth of half-sovereigns, or, putting it in another way, 20,000,000 sovereign pieces and 17,000,000 half-sovereign pieces. This operation would take two or three years. Supposing there are £32,000,000 of light coins in existence, are they likely to be presented in that time? There opinions differ.

We had the greatest difficulty in getting the pre-Victorian coins in, and it was only by declaring that they should be demonetized that we could get bankers and others to bring them in. My fear is that it will take a very long time before the whole light coin which actually exists is presented to us. I hope I have made it clear, though the matter is somewhat technical, that on the one hand we cannot have any definite idea of the amount of gold in circulation, but that it may be taken at £73,000,000 or £80,000,000, or at a figure ranging in that direction. The proportion of the light coin I calculate at about 43 per cent. of sovereigns and 70 per cent. of half-sovereigns, and the cost of dealing with £30,000,000 would be about £400,000. That shows the general extent of the scheme which I submit to the House. With regard to the method, we have considered carefully how we should proceed, and we have come to the conclusion that we could not proceed by dates; at all events to do so would be extremely awkward. The dates are frequently difficult to recognise, and great trouble would be caused in examining coin by coin and sorting them. The Bank of England are of opinion, and I think bankers generally will be of opinion, that, if we have got the money and can proceed on a large scale, the Mint should be given every facility for recoining the light coins as fast as possible, irrespective of dates. I trust that, as in the case of the light coins of the pre-Victorian reign, the House will give the Treasury a wide discretion with regard to the manner of withdrawal of the light coins now to be deal with. Another point arises in relation to how the cost should be defrayed. Some time ago I shadowed forth that it might be necessary to tax private issues for the purpose, but since then, as the House is aware, we have had a great windfall in the profit upon silver, amounting to £600,000 in one year beyond the ordinary profit, and to £200,000 in another year, and it appears to me that this gain of £800,000 in relation to silver may provide the means. It is also a favourite idea in many quarters that there should be a charge made on the coinage of bullion. When a person brings bullion for coinage he does practically pay 1½d. an ounce, the difference between £3 17s. 9d., the price given by the Bank for bullion, and £3 17s. 10½d., the rate at which bullion is coined by the Mint. The House will be surprised to learn how comparatively small would be the amount we should raise by a Mint-charge to cover the cost of coinage, while it would involve considerable trouble to make new regulations. In recent years the coinage has been comparatively small. In the 10 years, 1881-90, the total was £26,000,000, or about £2,600,000 a year. In the years 1871-80 it was £42,000,000, or £4,200,000 a year. In 1861-70 it was £51,000,000, or about £5,000,000 a year. So there has been a continued decrease in the amount of coinage in these decennial periods, leaving out of account the sovereigns which have been supplied from Australia. As the cost of coinage for £5,000,000 is about £8,000, the cost for the average of £2,500,000 during the past 10 years has been about £4,000. The amount to be raised, therefore, by a charge equal to the cost of coinage is very small. There are other matters I might deal with, but I am anxious to get the Second Reading of the Bill to-day, leaving such matters for discussion at the next stage. I think I have given an adequate statement of the motives which have induced us to introduce the Bill, to which I hope the House will give a Second Reading.

Motion made, and Question proposed, 'That the Bill be now read a second time."—(*The Chancellor of the Exchequer*).

(5.6.) SIR W. HARCOURT: The right hon. Gentleman has made a very clear and important statement upon a matter which really lies deeply at the root of the commercial interests of the country, and the Chancellor of the Exchequer can scarcely expect that a measure such as this can be adequately considered and discussed at the fag-end of a Wednesday afternoon. It certainly cannot be disposed of in the remaining half-hour of this sitting, however we may compress what we have to say, and in the absence of Gentlemen well entitled to express opinions which the

country will be glad to hear on a matter of this kind. This work of setting our coinage right is undertaken much too seldom. The right hon. Gentleman has said the life of a sovereign is about 18 years before it becomes light, and it is nearly 50 years since an undertaking of this kind was carried out by Sir Robert Peel in 1843; so that we have gone far beyond two such periods. The previous occasions were in 1774 and 1696. Now, these matters go a great deal beyond the question of light gold; they include a great many other questions, and I must say, with all respect to the Chancellor of the Exchequer, that this is a disappointing Bill. We have had the promise of a measure for the redemption of light gold for years. A Bill of this kind might have been introduced and passed at almost any time if it is supposed that we shall pass the Second Reading at the end of a Wednesday afternoon. This question of the coinage is connected with a number of other matters besides that of the actual withdrawal of light coinage, and has been so connected by the right hon. Gentleman himself in speeches which he has delivered. The right hon. Gentleman connected it, for instance, with the question of the issue of £1 notes—an important and far-reaching question. He has connected it still more with what I must call an alarmist policy on his part, and which, in my opinion, requires a thorough examination, without which it is calculated to produce a most injurious effect on the credit of the country. The right hon. Gentleman said—not in this House, which I regret, for I think it is a question that should have been discussed here—

> "The present condition of the currency of the country requires a solution, and is essential to a sound condition of our commercial position."

After the Baring catastrophe, when I should have thought what was required was something like a re-assurance to the country, and not a further alarm, he connecting this with the question of currency——

*Mr. GOSCHEN: Not coinage.

Sir W. HARCOURT: Yes, he referred to this specially as bearing upon the withdrawal of light gold. He led the public to believe by his speech that the gold reserves of the Bank of England and of the private banks were insufficient, and stated that he was engaged in devising some scheme by which to strengthen the permanent gold reserves of the country. A more important and alarming statement for the commercial interests of the country it was impossible to make, and I must say I feel it my duty in this House to question the right of the Finance Minister in this country to hold language of this kind and not be prepared to come before the House of Commons with a remedy necessary in such a state of things to save the credit of the commerce of this country. It is now more than six months since he used that language. He stated at the time that the remedy he proposed for the creation of a new reserve of gold should be connected with a light coinage measure; but he introduces his Light Coinage Bill now without any remedy for the state of things he described. The right hon. Gentleman said at Leeds he was hopefully engaged, with the assistance of the Bank of England, in devising a means for strengthening our permanent gold reserves by which greater help would be given in an emergency, and by which he hoped panics of coming catastrophe might be avoided, and that he was preparing the draft of a Bill to effect this object. Well, but that was six months ago! Are you going on for 12 months after making these alarming statements, having told the country its commercial system is unsound and its bank reserves insufficient, before making any proposal to the House of Commons? This condition of vague and vacillating finance is not to the advantage of the commerce of the country. It is impossible to exaggerate the language in which the right hon. Gentleman indicated the commercial danger and if there is such a danger, then it is the duty of the Chancellor of the Exchequer to come forward with proposals for the defence of the commerce of England from the danger threatening it. The issue of £1 notes was indicated to protect the reserves of gold, the larger basis of currency on which the credit of the country was to rely. How are we to go

on with the absence of a provision to meet the danger threatening us? What is the nature of the reserve, when these alarms are being, as I venture to think, from the best information I can obtain, most unnecessarily raised? When Sir R. Peel passed the Bank Charter Act in 1840, it was estimated that £7,000,000 might be the amount of the active circulation which might not be covered by gold. Since then the gold basis has been very much strengthened, and in recent years the balance in the Bank has on several occasions exceeded the active circulation. Upon the average of late years the circulation not covered by gold has not reached one-half the figure contemplated by Sir R. Peel.

*MR. GOSCHEN: I am sure the right hon. Gentleman does not wish to give a wrong impression. I never wished to throw a single word of doubt or discredit on the absolute security of the circulation of the country. All my observations were directed to the reserve.

SIR W. HARCOURT: I am glad the right hon. Gentleman has given that explanation. I was directing my remarks against the mischievous and, as I believe, unwarranted gold scare which is abroad, to the effect that there is too little gold in the country and the world to carry on its business transactions. I agree that the experts have been entirely wrong. Gentlemen who have tried to solve an equation with half-a-dozen unknown quantities have naturally failed to arrive at any solid result. In an interesting and instructive paper written by the Chancellor of the Exchequer himself, seven or eight years ago, he attributed some of the difficulties of commerce to the enormous demands of the Continent for gold coin. He put it then at £200,000,000, and he said, speaking of the English coinage, that it had enormously increased in proportion to the growth of population. The conclusions he then arrived at were drawn upon an erroneous basis. So far from there being more coin required in this country, there is now less coin than formerly. Why? Because everybody knows that coin forms an infinitesimally small part of the transactions of the people. In London it forms, I suppose, not more than 1 per cent., and in the provinces very little more. Since the Chancellor of the Exchequer attributed so large a demand to the Continent, it is estimated that £20,000,000 in gold have been produced every year, and though estimates differ as to the amount which goes to art and the amount which goes to the Mint, the lowest estimate gives half the quantity to the production of coin. These are very serious matters. There never was a time when it was more important to satisfy the commercial community that there is no foundation for the opinion that there has been an enormous demand for gold for the Continent which has disturbed the relation of values, and it is necessary that something should be done. The Chancellor of the Exchequer has said nothing as to the regular drain of gold to the East, which is unquestionably very large, and sovereigns are melted up for that purpose. Although replacing the coin on full weight has its advantages—the full-weight coin unquestionably invites bankers and others to send the money into the Bank of England—it operates in another direction, for it is a gratuitous assay to the world; when gold is wanted the coin is melted down. In Jersey they used to ask for light sovereigns and half-sovereigns, because they would not go to France, whereas if they were of full weight they would be exported. Now, there are a great many aspects of this question which it is extremely desirable should be discussed in this House, as I hope the Chancellor of the Exchequer will recognise. I had reason to hope that this Bill would have been the first order to-day. Not only am I disappointed that the Bill comes before us as a simple Coinage Bill; I am also disappointed that the Bill contains no sort of scheme for keeping the gold coinage in good order after it has once been set right. Although it is the theory that the last holder must bear the loss on light gold, that is impracticable, and cannot be acted upon. I remember, as a boy, the time when a shopkeeper produced a pair of scales and weighed the coin you tendered; but that would be intolerable, and cannot be carried out. I do not adopt the view that the cost should be paid from the fiduciary issue; I agree with the Chancellor of the Exchequer it

should come from Imperial taxation, or that the cost of re-coining should be paid out of the profit on the silver and bronze coinage; but the Chancellor of the Exchequer promised that he would establish a fund to keep the coinage in order. What has become of that fund? Why is no plan of that kind laid before the House? I cannot understand why it should not be possible by a single clause in this Bill to establish a system by which the coinage should not again be allowed to fall into the condition in which we now find it. If the opportunity offered, I could show by the calculations made in 1881, that the loss on the gold coinage is about £50,000 a year, and for years have we been promised a system for dealing with this.

It being half an hour after Five of the clock, the Debate stood adjourned.

Debate to be resumed to-morrow.

COINAGE [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the issue, out of the Consolidated Fund during the year ending on the 31st day of March 1892, of a sum of £400,000, and of applying any interest thereon towards meeting the Expenses to be incurred in pursuance of any Act of the present Session to amend "The Coinage Act, 1870."—(*Mr. Jackson.*)

Resolution to be reported to-morrow.

COUNTY COUNCILS (ELECTIONS) BILL.

(No. 404.)

As amended, considered; read the third time, and passed.

CONSULAR SALARIES AND FEES BILL.

(No. 398.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.—(No. 287.)

Order for Consideration, as amended, read, and discharged.

Sir W. Harcourt

Bill re-committed in respect of an Amendment to Clause 5; considered in Committee, and reported; as amended, considered; read the third time, and passed.

SOLICITORS AND APPRENTICES (IRELAND) BILL.—(No. 87.)

Order for Committee read, and discharged.

Bill withdrawn.

PUBLIC HEALTH (SCOTLAND) ACTS AMENDMENT BILL.—(No. 371.)

Considered in Committee, and reported; as amended, to be considered To-morrow.

HIGHWAYS AND BRIDGES BILL.

(No. 384.)

Considered in Committee, and reported; as amended to be considered To-morrow.

VALUATION OF LANDS (SCOTLAND) BILL.—(No. 343.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Nineteenth Report brought up, and read; to lie upon the Table, and to be printed.

POST OFFICE MAIL CONTRACT (BELFAST AND FLEETWOOD MAILS.)

Copy ordered—

"Of the Contract with the North Lancashire Steam Navigation Company, dated the 28th day of January, 1891, for the conveyance of Mails between Belfast and Fleetwood, together with a Copy of the Treasury Minute relating thereto."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 321.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 9th July, 1891.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 207.)

Returned from the Commons with the Amendments agreed to, with an Amendment.

CONSULAR SALARIES AND FEES BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 221.)

COUNTY COUNCILS (ELECTIONS) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Monday next: (The Lord Hartismere [*L. Henniker*].) (No. 222.)

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 223.)

ELEMENTARY EDUCATION BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Thursday next: (The Lord President [*V. Cranbrook*].) (No. 224.)

METALLIFEROUS MINES (ISLE OF MAN) BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 225.)

RANGES BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 226.)

LOCAL GOVERNMENT (HIGHWAYS) BILL.

Read 1ª; to be printed; and referred to the Examiners. (No. 227.)

TRUSTEE BILL [H.L.]—(No. 213.)

Amendments reported (according to order); and Bill to be read 3ª to-morrow.

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS,

Thursday, 9th July, 1891.

QUESTIONS.

CRIMEAN AND INDIAN MUTINY VETERANS.

MR. E. ROBERTSON (Dundee): I beg to ask the Secretary of State for War if he can now state what steps he proposes to take this Session with reference to the relief of Crimean and Indian Mutiny veterans?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Yes, Sir; I propose to make a commencement this year on the lines I have already stated to the House. No legislation will be necessary.

THE THIRD PRESIDENCY MAGISTRACY OF BOMBAY.

MR. PHILIPPS (Lanark, Mid.): I beg to ask the Under Secretary of State for India whether a Memorandum has been received from the Bombay Presidency Association strongly protesting against Lord Harris's intended appointment of Mr. Webb to be Third Presidency Magistrate of Bombay; and whether the Government can now state their decision?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Memorandum has been received at the India Office, and is under the consideration of the Secretary of State. No decision has yet been arrived at.

ST. AUGUSTINE'S BOYS' SCHOOL, KILBURN.

MR. PICTON (Leicester): I beg to ask the Vice President of Committee of Council on Education whether his attention has been called to the statement of accounts of the St. Augustine's Boys' School, Kilburn, published in the annual statement of the work and funds of the parish for the year ending December, 1889, in which appear the following items to the debit of the schools, namely, Sunday school expenses and deficit on treats, £26 12s. 9d.; half expenses of

parish house, £16 8s. 8d.; whether these items appear in the school accounts for the corresponding period which were sent to the Department; and whether these sums are a legal expenditure from the school fund under Article 90 of the Code; if not, what steps will the Department take in the matter.

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The statement from which the hon. Member has quoted includes, according to my information, the accounts of both day and Sunday schools, which are thrown together for convenience sake in a communication made by the vicar to his own people. From the accounts furnished to this Department every item connected with the Sunday school is rigidly excluded, and only such part of the expenses of the parish rooms as covers the application of one of them to the purposes of a public elementary school is recognised by the Department.

MR. PICTON: Is there an audit of the accounts on behalf of the Paymaster?

SIR W. HART DYKE: Certainly. The accounts are subjected to a rigid audit.

MR. MORTON (Peterborough): What does the right hon. Gentleman mean by a rigid audit?

SIR W. HART DYKE: Every item in the accounts is challenged, and vouchers are asked for.

MR. MORTON: That is not done in some cases that I am acquainted with.

LOCAL CARRIERS.

MR. LLEWELLYN (Somerset, N.): I beg to ask the Postmaster General whether a person residing in a country village, who gives a note to the local carrier containing orders to a tradesman to supply him through such carrier with certain articles, is liable himself or renders the carrier liable to a legal penalty; whether such note, if carried as a parcel, would render either of them liable to such penalty; and what is the official definition, in such cases, of a letter and a parcel respectively?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): A note sent in the manner described by the Hon. Member would be an infringement of the Act of Parliament, 1 Vic. c. 33 Sec. 2, and the person sending it, and also the carrier conveying it, whether as a parcel or otherwise, would be liable to penalties. A common carrier is expressly forbidden to carry a letter by the Act. The reply to the second paragraph is in the affirmative. A letter made up into a parcel would come under the definition of a letter.

MILITARY OFFICERS AS DIRECTORS OF COMPANIES.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether the War Office order forbidding officers on full pay to act as directors of Companies without special permission applies to officers who were acting as directors before the issue of the order; if he can say how many officers on full pay are now acting as directors of Public Companies; and, whether it was or was not by permission that an officer, holding a high position as head of a Military Department of special importance at the present time, was recently advertised as the director of one gold mining company and vendor to another?

*MR. E. STANHOPE: The Order in question applies to all officers now on full pay, but I am not able to say how many officers on full pay were acting as directors of companies at the time the Order was issued. Before that time there was nothing to prevent an officer on full pay from serving as a director of a public company, but on hearing of this Order the officer alluded to in the question of my hon. Friend at once withdrew from the directorate.

THE COMMITTEE ON RECRUITING.

MR. HANBURY: I beg to ask the Secretary of State for War what witnesses specially representing the non-commissioned officers and privates of the Regular Forces have been examined by the War Office Committee on Recruiting; whether it is intended to take the evidence of several such witnesses on a subject specially affecting those ranks; and what are the terms of the reference to the Committee generally?

*MR. E. STANHOPE: The War Office Committee on Recruiting are now engaged in considering the soldier's pay, promotion, and prospects, and other inducements to enter the Service. They have already taken the evidence of

some officers who have served in the ranks, and they have other witnesses on their list who in due course will be called before the Committee, who may be considered to specially represent the opinions of the warrant and non-commissioned officers and rank and file of the Army.

THE DUBLIN POSTMEN.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Postmaster General if he will state the nature of the proposals lately made by him to the Treasury with reference to the Dublin postmen; and whether the Treasury has agreed to his recommendations?

*MR. RAIKES: The Treasury has not yet decided upon my recommendations, and until it has done so, it would not be in accordance with usage to make the nature of them known.

MR. SEXTON (Belfast, W.): This matter has been so long pending that I think it will be necessary to raise it upon the Treasury Vote, and ask for an explanation.

*MR. RAIKES: I think the hon. Gentleman will get the answer before then.

THE NORFOLK COUNTY COUNCIL.

MR. GURDON (Norfolk, Mid): I beg to ask the President of the Local Government Board whether the expenses incurred by the Norfolk County Council in connection with the Provisional Order made by them for the purchase of lands in the parish of St. Faith's, including the costs before the Committee of this House, ought to be borne by the parish of St. Faith's or by the Sanitary Authority?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The County Council in this case have proceeded under the Allotments Act of 1890 on the defalt of the Rural Sanitary Authority of the St. Faith's Union. Having regard to the provisions of Section 6 of that Act it appears to me that the expenses incurred by the County Council in connection with the Provisional Order for the compulsory purchase of lands are to be paid in the first instance out of the county fund, and are to be repaid to the County Council by the Rural Sanitary Authority, and borne as general expenses by the whole Rural Sanitary District and not by the parish of St. Faith's only.

MAIL STEAMERS IN COLONIAL PORTS.

MR. S. SMITH (Flintshire): I beg to ask the Postmaster General whether his attention has been drawn to the practice which obtains in some Colonial ports of granting special permission to mail steamers to load and unload their cargoes on Sunday, thereby setting a precedent for the owners of ordinary cargo boats to seek the same facilities; and whether he will take into consideration the possibility of reducing the number of Sundays on which the working of coals and cargoes on board mail steamers is made a necessity?

*MR. RAIKES: My attention has been drawn to the subject referred to by the hon. Member. I may say that, so far as the Post Office is concerned, every effort is made to arrange the itineraries of British Contract Mail Packets so as to avoid Sunday calls at Foreign and Colonial ports, and I am glad to be able to state that such calls are rare under present arrangements. Without serious detriment to the mail service, however, it would be impossible altogether to avoid Sunday calls in certain isolated cases. I think I may, therefore, say that the suggestion conveyed in the hon. Member's second question has already been complied with.

QUEEN ANNE'S BOUNTY.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the Secretary to the Treasury if he will inform the House why the annual account of the Commissioners of Queen Anne's Bounty has not yet been presented; and whether the account will give information as to the situation, value, and acreage of the ground rents and reversions which have been purchased by the said Commissioners?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The account of the Commissioners of Queen Anne's Bounty is in course of preparation, and will be laid before Parliament during the present Session. The Act of Parliament does not require it to be presented until next

Session. The situation of the ground rents which the Board have purchased will be generally quoted in the account, but the acreage will not be shown, and no estimate of the value of reversions will be given.

BALBRIGGAN HARBOUR.

MR. CAREW (Kildare, N.) (for Mr. CLANCY, Dublin Co., N.): I beg to ask the Secretary to the Treasury whether his attention has been called to the present condition of Balbriggan Harbour; and whether he is aware that a considerable sum of money has been lent by the Board of Works for harbour works in that port on the security of the port dues, and that, owing to the fact that the Dublin Port and Docks Board has allowed the harbour to be filled up, especially at its entrance, with mud and sand, very few vessels or boats now visit the port, and the harbour dues are consequently diminishing year by year; and, if so, whether any steps will be taken to clean out the harbour, and so preserve the security for the repayment of the loan made by the Board of Works?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): A loan of £1,700 for Balbriggan Harbour was made in 1868, and there are arrears upon it of over £1,200. The harbour is controlled by the Dublin Ports and Docks Board through a Local Harbour Committee, with whom must rest the responsibility for the state of the harbour.

MR. SEXTON: Is there no means of obliging the Dublin Port and Docks Board to keep the harbour in a proper condition?

MR. JACKSON: I am afraid we have no power in the matter at all.

MR. CAREW: I beg also to ask the Secretary to the Treasury whether, in view of the fact that the repayments of the loans made under the Sea Fisheries Act of 1883 amount this year to nearly £4,000, he will consider the practicability of employing that sum of money this year in the improvement of the harbours of Rush and Balbriggan?

MR. JACKSON: The repayments of loans made under the Sea Fisheries Act of 1883 have been already hypothecated for other works than those referred to by the hon. Member.

WHITEABBEY (BELFAST) INDUSTRIAL SCHOOL.

MR. SEXTON: I beg to ask the Attorney General for Ireland whether he has yet determined to grant a certificate in the case of the Whiteabbey (Belfast) Industrial School, which has been under consideration during the past two years?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): This question appears to relate to the St. Patrick's Female Industrial School, Belfast, the managers of which have also, it seems, erected premises at Whiteabbey. The school is certified for 110 inmates. Applications have been received for an extension in the number so certified for and have had careful consideration, but, in view of the stronger claims of other industrial schools and the existing heavy and growing expenditure in connection with the industrial schools system in Ireland, my right hon. Friend has with regret felt himself unable to comply with the request, a decision which was duly communicated to those interested.

VIVISECTION.

MR. M'LAREN (Cheshire, Crewe): I beg to ask the Secretary of State for the Home Department, with reference to Report of the Inspector of Vivisection, that he only knows of one case in which the operation of inoculation in the eye has been practised in this country, in that case he reports that the change in the eye was microscopic, and that the animal was quite free from pain, whether his attention has since been called to the Supplement to the 19th Annual Report of the Local Government Board containing a report by Dr. Klein, showing that both last year and the year before he inoculated the eyes of many cats, and that in many cases the whole centre of the cat's cornea was transformed into a deep crater-like ulcer, and that these cats lived for about three weeks suffering from the disease; whether he will ask the Inspector why he reported that there was only one such case of inoculation in this country, that it was microscopic, and whether, in view of Dr. Klein's report, he still adheres to that statement; and whether he will take any steps to prevent these experiments being continued?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Inspector reported to me that he had himself seen only one case of what is technically called "inoculation of the interior chamber of the eye" since he had been Inspector. This operation is quite distinct from the application of injective material to the surface of the eye, which was the procedure in Dr. Klein's experiments. Moreover, those experiments were made before Dr. Poore was appointed Inspector, and were performed not in this country, but in Hungary. The Inspector adheres absolutely to the statement made by him, which was a correct reply to the specific question addressed to me on June 15. I am informed that Dr. Klein's experiments, as tending to prove that diphtheria may be communicated from cats to human beings, are of first-rate importance for the prevention of a disease which is on the increase. As I before stated, it is a condition of the licence under which they are performed that if severe pain be induced the animal shall be immediately killed under anæsthetics. I have no reason to believe that this condition is disregarded, and I do not propose to interfere with the lawful exercise by scientific men of methods of experimentation which may result in great benefit to the human race.

MR. M'LAREN: Am I to understand that the experiments in this case were performed in Hungary?

MR. MATTHEWS: Yes; that is so.

URBAN SANITARY DISTRICTS.

MR. T. ELLIS (Merionethshire): I beg to ask the President of the Local Government Board whether he can state the number of urban sanitary districts in England and Wales with a population under 2,000, and how many of these have a population under 1,300?

*MR. RITCHIE: There are 117 urban sanitary districts which, according to the Census of 1881, had a population under 2,000. Of these, 43 had a population of less than 1,300. In the great majority of these cases the districts were constituted at a time when the owners and ratepayers were empowered to form a district without the consent of any Central Authority.

PORTLAND CONVICT PRISON.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether he is aware that in the E quarters of Portland Convict Prison there are 60 sets of rooms for the use of assistant and other warders and their families, each set consisting of three rooms, namely, a general living room, without scullery accommodation, measuring 15 feet by 13 feet, and two bedrooms, each measuring 11 feet by 8 feet; whether he is aware that none of these sets of rooms exceed 8 feet 4 inches in height; whether he is aware that the assistant warders are obliged to pay £9 2s. yearly for each set of rooms in these quarters, and are compelled to live in them; whether he is aware that some of the assistant warders living in these sets of rooms have as many as six, eight, and even nine children in their families; whether he is aware that the Medical Officer of Health for Portland has condemned the overcrowding of these quarters, as being most dangerous to health; and whether he will take such steps as may be necessary to remedy this state of things?

MR. MATTHEWS: The statement as to the E quarters and the size of the rooms is correct. The assistant warders pay no rent for these quarters. There are at present 50 of them who are obliged by the necessities of the service to occupy them. Some of the warders have large families. In the case of three whose families amounted to 10 persons they were offered double quarters and refused them. The report of the local Officer of Health refers, not to the E quarters, but to a hired block of buildings some 100 yards distant, called Clifton Cottages, now no longer leased by the Government. The lease was relinquished on account of the unsatisfactory condition of this block. The E quarters were built 37 years ago, and are certainly not up to modern requirements. I will direct the Surveyor General of Prisons to make a special Report on the best mode of improving them. The health of the warders in the E quarters has, however, been satisfactory, and the Prison Medical Officer inspects them once a quarter.

HOUSING OF THE WORKING CLASSES.

MR. STERN (Suffolk, Stowmarket): I beg to ask the President of the Local Government Board whether the Government will advance loans to the Rural Sanitary Authorities for the purpose of building cottages under "The Housing of the Working Classes Act, 1890;" and, if such loans can be obtained, upon what terms; and what is the rate of interest and period for repayment on loans to Municipal Corporations?

*MR. RITCHIE: The Public Works Loan Commissioners are empowered to make advances for the purpose of the erection of labourers' dwellings, and by Section 83 of the Housing of the Working Classes Act, 1890, it is provided that any loan advanced by the Commissioners under that Act or for labourers' dwellings under the Public Works Loans Act, 1875, shall bear such rate of interest, not less than 3⅛ per cent. per annum, as the Treasury may from time to time authorise as being in their opinion sufficient to enable such loan to be made without loss to the Exchequer. The period for which a loan would be sanctioned by the Local Government Board would be determined with reference to the buildings which it was proposed to erect and after a local inquiry as to the scheme, and the period for repayment in the case of loans to Municipal Corporations, under the Municipal Corporations Act or the Public Health Act, would depend upon the nature of the works for which a loan was required. If the loan was advanced by the Public Works Loan Commissioners upon the recommendation of the Board the rate of interest would vary according to the period allowed for the repayment of the loan, the minimum rate of interest being at present 3½ per cent.

In reply to a question by Sir J. SWINBURNE (Staffordshire, Lichfield),

*MR. RITCHIE said: The rate of interest increases with the length of time for which the advance is required.

IMPORTATION OF DYNAMITE INTO THE TRANSVAAL.

MR. BAIRD (Glasgow, Central): I beg to ask the Under Secretary of State for the Colonies whether representations have been made to the Secretary of State by certain manufacturers of explosives in this country that dynamite in bulk, manufactured in France, is admitted into the South African Republic duty free, while all applications to the Government of that Republic for permission to import dynamite of British manufacture, when acceded to at all, were only granted subject to the payment of duty, and that since January last all such applications have been peremptorily refused; and whether, in view of the provisions in the Convention of 1881 and 1884 between Her Majesty's Government and the South African Republic, the Secretary of State will undertake to communicate with the President of that Republic with a view to obtain for British manufacturers of explosives the same rights of importation of dynamite into the South African Republic as are now being accorded to the dynamite manufactured in France?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): A representation of the nature described by my hon. Friend has been received; and a communication on the subject will be addressed to Sir H. Loch by to-morrow's mail.

DOCKYARD *EMPLOYÉS*.

CAPTAIN PRICE (Devonport): I beg to ask the First Lord of the Admiralty whether, if the Labour Commission should desire the evidence of any of the *employés* in the Royal Dockyards, the Admiralty will offer any objection to their attendance before the Commission?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): The Admiralty will offer no objection.

GRIEVANCES OF PRISON OFFICERS.

MR. E. KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary of State for the Home Department whether the Committee appointed to inquire into the grievances of prison officers has yet finished its work; and, if so, when the Report of the inquiry will be made known?

MR. MATTHEWS: The Committee on the grievances of prison officers has not yet reported. It is not usual to publish the Reports of Departmental Committees, which are of a confidential

nature; but I shall in due course be prepared to state what my decision may be upon that Report.

SCHOOL EXAMINATION.

MR. HERMON-HODGE (Lancashire, Accrington): I beg to ask the Vice President of the Committee of Council on Education whether some of Her Majesty's Inspectors of Schools occasionally exempt schools from examination on account of successful results in former years; and whether it has been brought to his notice that this has proved to be a hardship in the case of some children who have thus been deprived of an opportunity of obtaining the labour certificate necessary to enable them to get half-time or full-time employment?

SIR W. HART DYKE: The practice to which my hon. Friend refers is not uncommon, and has operated to the advantage of all concerned, for the case of any number of children who require labour certificates can always be met by a special examination, which the Inspector is authorised to hold at the request of the Local Authority.

SALE OF FOOD AND DRUGS ACT.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Postmaster General whether any and what difficulties have been experienced with regard to forwarding articles to analysts through the post office as registered letters, in accordance with Section 16 of "The Sale of Food and Drugs Act, 1875;" whether any and, if so, what controversy has arisen as to the construction of that section; and whether the Law Officers of the Crown or the Home Secretary have been consulted as to the advisability of altering the said section in the manner proposed in the Post Office Acts Amendment Bill?

*MR. RAIKES: The difficulty hitherto experienced has been in regard to liquids and other things ordinarily excluded from the Letter Post, the view of the Department being that Section 16 of the Sale of Food and Drugs Act, 1875, does not override the ordinary law prohibiting the transmission of such things by Letter Post. Some difference of opinion arose with the Local Government Board on the subject, but all difficulties have now been overcome, and it has been arranged that the articles in question shall be sent by "Registered Parcel Post" in future. I have placed an Amendment on the Paper to make this clear, and my right hon. Friend the President of the Local Government Board concurs in the arrangement now proposed.

MAINTENANCE OF HIGHWAYS.

MR. ROWNTREE (Scarborough): I beg to ask the President of the Local Government Board if any further decisions have been given by the Department on appeals from Quarter Session boroughs from County Councils as to the maintaining of highways in addition to those of Dover, Carlisle, Grantham, Scarborough, and Banbury; and if the place and particulars of such decisions are accessible to Members whose constituencies are concerned in this matter?

*MR. RITCHIE: There is only one case besides those mentioned in the question in which a decision has been given by the Local Government Board on an application from a Quarter Sessions borough that roads within the borough may be declared main roads. The Borough of Abingdon is the case to which I allude. The Board were unable there to comply with the application of the Town Council. If the hon. Member will inform me of the particulars as regards that case with which he desires to be furnished, I will see whether they can be supplied.

SWAZILAND.

DR. CLARK (Caithness): I beg to ask the Under Secretary of State for the Colonies how many of the Swaziland concessions have been ratified by the Court; and whether they have refused to ratify any of them; and, if so, what are the concessions for that have been refused ratification?

BARON H. DE WORMS: The Court appears to have confirmed in whole or in part, absolutely or on terms, 344 concessions. They refused to confirm seven; of which four related to land or mineral right, the three others being respectively, for the exclusive right to apply for concessions; the exclusive right of instituting lotteries and sweepstakes; and the exclusive right of laying out townships.

SALMON FISHERIES (IRELAND) BILL.

MR. SETON-KARR (St. Helens): I beg to ask the Attorney General for Ireland whether, in view of the fact that the Salmon Fisheries (Ireland) Act Amendment Bill has been reported against by the Government Inspectors, the Government intend to oppose the said Bill?

MR. MADDEN: As the Salmon Fisheries (Ireland) Act Amendment Bill referred to is opposed, there appears to be little prospect of its being proceeded further with this Session.

IMPERIAL INSTITUTE—TRADE DISPUTES.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Secretary to the Treasury whether the contractors of the Imperial Institute are being allowed to pass the men they have engaged to take the place of their carpenters now on strike through the buildings of the South Kensington Musuem, with the object of preventing the pickets from having access to them; and, if so, whether he will at once give instructions that public buildings shall not be utilised for the purpose of advantaging one side in a private labour dispute?

SIR W. HART DYKE: Perhaps the hon. Gentleman will allow me to answer this question. I find that some of the men referred to did pass two or three times through the Museum buildings. They are not doing so now. The hon. Member is quite mistaken if he supposes, as is suggested by his question, that the Musuem authorities have sided with one party or the other in the dispute.

MARRIAGES OF BRITISH SUBJECTS ABROAD.

MR. WOODALL (Hanley): I beg to ask the Under Secretary of State for Foreign Affairs what regulations have been made for carrying out the provisions of "The Marriage Act, 1890"; whether any decision has been arrived at in regard to the issuing of Orders in Council determining the conditions under which, and the mode in which, marriages solemnised in accordance with the law of a foreign country may be registered by British Consuls; and, in the event of any amendment of the Act of 1890 being necessary, when is it proposed that a Bill for that purpose will be introduced?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Two Orders in Council have been issued to give effect to certain portions of the Marriage Act, 1890; but as doubts have arisen as to how far Her Majesty would be justified in issuing an Order in Council regulating the mode and conditions of registering by British Consuls marriages celebrated in accordance with the laws of foreign countries, no such Order has yet been issued. Moreover, other difficulties have presented themselves with respect to marriages under the Consular Marriage Act, 1849, and in Embassies and on board Her Majesty's ships. Some, but not all, of these difficulties were removed by the Act of 1890, and by the Order in Council made under it on the 22nd of November, 1890. But that Order in Council is not sufficient to bring the Act into full operation, and further legislation is required to remove difficulties either not removed by the Act of 1890, or arising out of that Act. Some of the provisions required for these objects have been the subject of consultations which have delayed a decision till the present advanced period of the Session, but a Bill has now been drafted for the purpose. The First Lord of the Treasury has informed the House that he will not introduce further measures of any controversial nature. The hardships involved by uncertainty of the law in regard to marriage are so serious that it is undesirable that any delay should take place in remedying them, and it has therefore been resolved to introduce the Bill, notice of which will be given to-night; but it must be understood that it can only be passed if it meets with no opposition.

SPIRITUOUS LIQUORS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Secretary to the Treasury if he is prepared to assent to the Return on the Order Paper for to-day in regard to the consideration of Spirituous Liquors?

MR. JACKSON: The information asked for has already appeared in Parliamentary Papers. I shall be glad to give

the hon. Gentleman any further information he may desire.

POWERS OF COURTS OF QUARTER SESSIONS.

MR. W. BOWEN ROWLANDS (Cardiganshire): I beg to ask the Attorney General whether, under Section 9, Sub-section 3, of the Local Government Act of 1888, a Court of Quarter Sessions has power, as such, to give orders to the chief constable of a county on general matters relating to the preservation of the peace within the county, or to require a Report from him; or whether the reservation made by such sub-section merely preserves to the Local Justices their previous powers to give such orders as to the preservation of the peace in their respective districts?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The question of the hon. and learned Member is of so abstract a character that it is difficult to give any answer that will be of any value to him; but, in my judgment, Justices of the Peace have the same powers as they had before the passing of the Act in the matter of the preservation of the peace, for the prevention of offences, and the apprehension of offenders.

In reply to a further question by Mr. W. BOWEN ROWLANDS,

SIR R. WEBSTER said: I understand the question to be directed to the duty of Justices of Quarter Sessions. I do not understand that the Local Government Act gives the Joint Committee any part of the jurisdiction of the Local Justices, either at Quarter or Petty Sessions.

CYPRUS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury whether his attention has been drawn to the falling off of trade between Cyprus and the United Kingdom since direct postal communication between the two countries has been abandoned, and to the offer of Bell's Asia Minor Steamship Company to provide such communication for a small subsidy; and whether, in view of the importance, for purposes of defence and trade, of maintaining direct steamboat communication between Great Britain and all her Colonies, Her Majesty's Government will consider the expediency of taking steps to revive the contract?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government are not prepared to accept the offer made to them by Bell's Asia Minor Steamship Company for a subsidised mail service to Cyrus. The hon. Member is under a misapprehension in supposing that the trade between England and Cyprus has fallen off since the Company in question ceased to receive a subsidy. It has, in fact, risen from an average of £100,000 a year to an average of £127,000 a year.

ORDERS OF THE DAY.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 12.)

Lords Amendments to be considered forthwith; considered, and agreed to, with an Amendment. [Special Entry.]

POLICE AND SANITARY REGULATIONS BILLS.

Special Report from the Select Committee brought up, and read.

Minutes of Proceedings to be printed. [No. 324.]

Report to lie upon the Table, and to be printed. [No. 324.]

TOWN HOLDINGS (*Inquiry not completed*).

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 325.]

ATTORNEY AND SOLICITOR GENERAL (EMOLUMENTS).

Returns ordered—

"Of the Amount paid to the Attorney General and Solicitor General for England respectively (1) for salary; (2) for contentious business; (3) total during the financial years 1887-8, 1888-9, 1889-90, 1890-91."

"Of the same in regard to the Lord Advocate and the Solicitor General for Scotland."

"And, of the same in regard to the Attorney General and Solicitor General for Ireland (in continuation of Parliamentary Paper, No. 379, of Session 1888)."—(*Mr. Sydney Buxton.*)

DRUNKENNESS (SCOTLAND).

Return ordered—

"Of the number of Persons arrested as (1) drunk and disorderly, and (2) drunk and incapable, in the different Burghs and Counties in Scotland during the year ending on the 31st day of December 1890, distinguishing between those arrested between the hours of 8 a.m. on Sunday and 8 a.m. on Monday, and those arrested during the rest of the week (in continuation of Parliamentary Paper, No. 386, of Session 1890."—(*Dr. Cameron.*)

NEW WRIT.

For the Northern Division of the County of Cambridge, *v.* Captain Charles William Selwyn, Chiltern Hundreds.

MOTION.

LONDON COUNTY COUNCIL (MONEY) BILL.

On Motion of Mr. Jackson, Bill to further amend the Acts relating to the raising of money by the London County Council; and for other purposes, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 407.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES 1891-2.

Considered in Committee.

CLASS II.

1. Motion made, and Question proposed,

"That a sum, not exceeding £33,592, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the salaries and expenses in the offices of the House of Commons.

(3.55.) DR. CLARK (Caithness): My hon. and gallant Friend the Member for Galway (Colonel Nolan) on a previous occasion called attention to the item of £1,000 for the Servants and Refreshment Rooms, and made a charge of sweating in the method of hiring the servants. The Chairman of the Refreshment Committee, in reply, said that it was not in the province of the House of Commons to interfere in the matter. Now, if sweating had been going on, I thought it was the duty of the House to interfere in the matter; and not being able to get a satisfactory reply in that quarter, I obtained from the manager the information that the men were employed about three hours a day, and were really better paid than any men of the same class in London. They receive 3s. for an average work of about three hours a day, and they get their dinner as well. The impression has gone abroad that there is sweating here the same as at the docks; but as far as I have been able to procure any evidence, the statement that sweating goes on is not accurate. It is necessary in this House as well as in the docks to employ occasional labour, but I do not find that sweating has ever gone on. At the same time, I think that we ought to have some control over the Refreshment Committee. As we give the Committee £1,000 we ought to have a Report telling us what is done with the money. I do not propose to raise the question this year, but unless I receive a satisfactory explanation I will certainly raise it again another year.

MR. MORTON (Peterborough): I beg to move the reduction of the Vote by the sum of £100, although I do not desire to take that amount from the Refreshment Committee or the servants. We get very good attendance in the Dining Room, but hon. Members have a strong objection to the waiters congregating in the Court-yard early in the evening, like the dock labourers do when they are seeking work. I should like to see an arrangement made which would prevent the waiters from hanging about looking after work. I wish also to know—first, whether tea and coffee cannot be served to Members at the bar in the Inner Lobby; and, secondly, whether the sale of spirituous liquors at that bar cannot be done away with altogether. I think we ought to begin by setting a good example to the country. I do not go so far as to propose that we should do away with the sale of intoxicating liquors in all parts of the House, but I think we might make a good beginning by doing away with the sale of them in the Inner Lobby. Last year the Chancellor of the Exchequer proposed to spend a large sum to compensate publicans whose interest might be affected by the closing of public houses; but if we close this bar, I am not aware that any compensation will be necessary. If at the bar we could have tea and coffee instead of intoxicating liquors, I

believe they would be much preferred by most Members, and we should set a good example to the country. It is all very well to advise the working man to give up intoxicating liquors, but he naturally makes the reply that while we propose to get rid of the poor man's pint of beer, we take no step in the same direction on our own account. If we get rid of our own bar the charge can no longer be made against us; and with a view of bringing about such a change, I beg to move the reduction of the Vote by the sum of £100.

Motion made, and Question proposed,

"That Item F, of £10,338, Department of Sergeant at Arms, be reduced by the sum of £100.—(*Mr. Morton.*)

*(4.0.) MR. T. W. RUSSELL (Tyrone, S.): It strike me that this is bringing local option pretty well home, and I hope the Member for Peterborough (Mr. Morton) will have the courage of his opinions and divide the Committee. A great many hon. Members are local optionists abroad, and I shall be glad to see what steps they will take now that the question has been brought to the door of the House of Commons itself. I heartily thank the hon. Member for giving in a fair and square manner the opportunity of testing these local option professions which I have always held to be worth nothing at all.

*A LORD OF THE TREASURY (Mr. SIDNEY HERBERT, Croydon): I am certainly not prepared to take part in a Debate on the temperance question raised upon this Vote. I may point out, however, that a great many Members of the House would be rather unwilling to sacrifice their arrangements and comforts for the sake of providing an argument in the country for the hon. Member for Peterborough. No doubt the Committee is aware that a considerable number of hon. Members prefer the less stimulating drinks of tea and coffee; but the conveniences for obtaining those beverages are very facile at the present time, and I do not think it is desirable that these things should be sold exclusively at the bar in the Inner Lobby. I am not prepared to take the position of saying that intoxicating liquors should be altogether abolished from the bar. If the hon. Member will reflect, and look back upon the history of the past, I think he will find that a great many illustrious Members of the House have taken considerable advantage of the proximity of this bar when, having to undertake important Parliamentary business, they have been unable to go away to dine. Under these circumstances, I think it would be inconvenient to entirely abolish the sale of intoxicating liquors at the bar in favour of tea and coffee and lemon squash, of which there is, I am told, a very considerable sale already. In reply to the hon. Member for Caithness (Dr. Clark), I may say that the subject of the waiters is engaging the attention of the Kitchen Committee, but I think it is not a question which ought to be discussed across the floor of the House. It is a question of the economic working of the Department; and if the suggestion of the hon. Member is carried out, not only would it involve higher payment and the granting of a larger sum to the Kitchen Committee, but it would also throw out of employment the men who come now in the evening and would result in engaging a different class of men.

(4.5.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): Although I do not agree in all respects with all the views expressed by the hon. Member for Peterborough, yet I have considerable sympathy with them. It has long seemed to me that the present position of the bar is, I would not say a scandal, but, at all events, an eyesore. If a stranger is introduced into the Inner Lobby to see the House of Commons, the first things he is saluted with are the popping of corks, the clinking of tumblers, and the drinking of liquids on the part of Members of the House. It is quite necessary that some provision should be made for supplying Members with refreshments in close proximity to the House; but it would, I think, be better in every respect if the accommodation were placed in some position equally accessible as at present, and yet not so openly obtruded upon public observation, and I hope this point will be borne in mind in any re-arrangement. In the meantime, there is one question I would like to ask, and I do so in complete ignorance upon the subject. I would like to know whether the House of Commons has a licence for the sale of intoxicating liquors? Those liquors are

sold not only to Members of the House, but also to strangers, and I am under the impression that no one has obtained a licence for sale in the House.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): As a teetotaler, I will not follow in the protestations which have been made about local option, but I will merely join with the hon. Member for South Tyrone (Mr. T. W. Russell) in expressing the hope that the hon. Member for Peterborough will press his Motion to a Division. I hold that on the part of many Members the protestations of local option are not only illusory, but are absolutely mendacious, and are merely intended to catch votes.

SIR G. CAMPBELL (Kirkcaldy, &c.): The practical view of the matter is this: that if a Member wants a "pick-me-up" in a hurry, he can go at once to the bar and get a glass of sherry or whisky, or even a lemon squash, whereas if he wants tea or coffee he has to go three chambers off for it, and to wait a long time and go through various ceremonies before he gets it. I think that the consumption of all these liquids should be put on a more equal footing.

*MR. SIDNEY HERBERT: The Refreshment Committee will consider the question of introducing tea and coffee at the bar at their next meeting.

(4.10.) MR. J. LOWTHER (Kent, Isle of Thanet): I quite agree with the manifest inconsistency of denouncing other persons for having the privilege of obtaining intoxicating liquors and obtaining it oneself, and I hope the hon. Member for Peterborough will divide the House on the question. I shall not, however, vote with him myself, because I have uniformly denounced the system of depriving others of privileges which I have no intention of surrendering myself, but I hope the Division List will show who are sincere in their belief that the deprivation of personal liberty is a step in the right direction, or, if hon. Members like it better, that it is wise for the House to get rid of a so-called monopoly. In order that the House may show an example of obedience to the law, I would be glad if the Secretary to the Treasury will inform us whether a licence has been duly obtained for the sale of intoxicating liquors in this building, and in whose name it stands?

Mr. Campbell-Bannerman

*MR. ROBY (Lancashire, S.E., Eccles): I accept the challenge which has been thrown out to local optionists in this matter. I shall vote against the Motion, and I shall do so as a local optionist. The question is purely one of local option, and surely hon. Members are able to judge for themselves whether they require intoxicating liquors for refreshment or not, in the House or out of it. I think it should be in the power of every district in the country to say whether they will have the sale of intoxicating liquors or not. It would be an unreasonable thing to prevent persons of grown age, like hon. Members, from getting a glass of sherry or claret at the bar of the House. Personally, I believe I have only had three glasses of intoxicating liquors at the bar since I have been a Member of the House, but I wish to preserve for others that liberty which, to a moderate degree, I have exercised for myself.

*MR. H. J. WILSON (York, W.R., Holmfirth): I believe the time will come when the House will not permit any intoxicating liquors to be sold within its precincts, and I hope the Motion will be pressed to a Division in order to test the present state of feeling among hon. Members on the question.

MR. COWLEY LAMBERT (Islington, E.): I cannot help fearing that if tea and coffee are introduced the clatter of tea spoons and cups and saucers at the bar may lead strangers who come to visit the House to think that hon. Members are a parcel of old women rather than men who are well able to take care of themselves.

MR. MORTON: I shall certainly, after what has been said by the hon. Member for South Tyrone, divide the Committee. I do not move the Motion in any sense from personal considerations. The Chairman of the Kitchen Committee has told us about eminent Members of the House who have taken advantage of a lull in the Debates to rush into the Lobby, owing to the close proximity of the bar. The hon. Gentleman did not state for what object, but I suppose it was for a "pick-me-up." What I want is to remove that temptation from those who cannot resist it, and to do away with the unfortunate privilege we now enjoy of being able readily to obtain intoxicating liquors. Above all, I want the Members

of this House to set a good example to the people of this country, and, therefore, I desire to do away with the sale of intoxicating liquors in the precincts of the House. All I ask is that we should make a good beginning in regard to ourselves, and leave others to do as they like.

(4.15.) MR. T. P. O'CONNOR (Liverpool, Scotland): I am inclined to think that persons outside, when they read this Debate, will be induced to think that the House of Commons is very much addicted to the use of intoxicating liquors. My hon. Friend the Member for Peterborough has referred to his own convictions upon the subject, and he seeks to remove what he calls "the temptation." Now, I regard the remarks of the hon. Member as an extremely unjust attack on the character of the House of Commons. It is certainly unjust to convey to the outside public the impression that the accommodation of the bar in the Inner Lobby is very much abused, and that this Assembly includes a number of men who are given to the excessive use of intoxicating liquors.

MR. MORTON: I never intended to make any such charge or insinuation.

MR. T. P. O'CONNOR: I am glad to have drawn that disclaimer from the hon. Member, because the inference to be logically drawn from his remarks was that a certain number of Members of this House are so weak that the proximity of the bar is a great temptation to them, and that, therefore, the bar ought to be removed. Such an inference is most unjust, and although we all know the history of the younger Pitt, yet the present House of Commons is as free from reproach in this respect as any Assembly in the world. My right hon. Friend who spoke from the Front Bench (Mr. Campbell-Bannerman) complained that the bar is at present in too public a place, and he suggested that it should be removed to a less conspicuous position. I do not know how far such an arrangement may be practicable. I know quite well that the use of tonics between meals is dangerous, but if I felt that I wanted them I certainly should not be ashamed to take them. But where there is no choice there cannot be much merit, and I shall vote against the Motion with a light heart, believing that the refreshment bar ought to be retained.

(4.20.) MR. CUNNINGHAME GRAHAM: I wish to protest against Members catching votes on the hustings with a plea whether in favour of the doctrines of local option or of an Eight Hours Bill, on account of advocating which the hon. Member for Eccles (Mr. Roby) owes his seat in this House——

THE CHAIRMAN: Order, order! The hon. Member is now entering into debateable matter which is not relevant to the question before the Committee. He must be aware that, in pursuing such a course, he is committing a gross offence against the Rules of the House.

MR. CUNNINGHAME GRAHAM: For the gross offence I will apologise, but I must protest against hon. Members, when the question is brought home to themselves, running away from it, raising specious arguments, and acting entirely contrary to the professions to which many hon. Members on the Benches around me owe their seats.

*MR. T. W. RUSSELL: I am going to vote for this Motion just in the same way that I should vote if local option were the law of the land. I shall vote for the exclusion of intoxicating liquors from the precincts of this building just as I would vote for the same proposition in regard to the street or ward in which I live. I am not taking away any choice from people, but, on the contrary, I am giving a choice to hon. Members to say whether they desire the sale of intoxicating liquors or not. I cannot say that I approve of the unfortunate phrase "local option" in connection with the temperance question. It was introduced some 15 years ago and was never heard of before. I am glad, however, that the matter has been brought to the doors of the House, and that hon. Members are asked to put their opinions to the test.

MR. MORTON: All I ask is that we in this House should set a good example to the people of this country.

(4.23.) The Committee divided:—Ayes 55; Noes 127.—(Div. List, No. 339.)

(4.35.) MR. T. P. O'CONNOR: Will the right hon. Gentleman have any objection to stating whether three type

writers can be placed in one or two of the rooms for the use of hon. Members?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I will inquire whether that can be done.

MR. T. P. O'CONNOR: Of course, I mean that the Government should provide them.

MR. A. O'CONNOR (Donegal, E.): May I ask who is the officer responsible for checking these accounts?

MR. JACKSON: I believe they are audited by the Speaker.

MR. A. O'CONNOR: It is impossible that hon. Members can ascertain how this sum of money is expended, and I think we should have some Return showing how this amount is arrived at. That would be a great deal more satisfactory. At present we are in the dark.

MR. JACKSON: I think the information is already given.

MR. A. O'CONNOR: Will the right hon. Gentleman lay a Return on the Table of the House giving the details?

MR. JACKSON: I will do so.

Vote agreed to.

2. Motion made, and Question proposed,

"That a sum, not exceeding £61,394, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses in the Department of Her Majesty's Treasury and Subordinate Departments."

DR. CLARK (Caithness): Irish and Scotch Votes are mixed up in this Vote, and what I wish to know is whether there are any means of getting rid of the special office for teachers' pensions in Dublin?

MR. SCHWANN (Manchester, N.): It is exceedingly desirable that there should be some explanation of the delay in dealing with the representations as to their pay made by provincial postmen, whose brethren in London are receiving a much higher rate of pay than they get.

MR. JACKSON: I have no special explanation to offer the hon. Member, but I deny that there has been any delay as far as the Treasury is concerned. The question is one of a large character, and will necessarily occupy a long time. I believe, however, an answer has been sent by the Postmaster General, and if that is so the question is practically settled. As to the question of the hon. Member for Caithness, the Teachers' Pension Office has always been a separate Department; and I do not think it desirable to alter the arrangement. Difficult and complicated questions arise from time to time, and it is necessary to maintain the office..

(4.43.) MR. SEXTON (Belfast, W.): The Treasury has for some time past been a direct clog on the Postmaster General in dealing with postal reforms in Ireland. There is nothing to which my attention is more constantly drawn by persons connected with the Postal Department in Ireland than the difficulty of inducing the Postmaster General to take effective action in regard to reforms involving any financial question. This is due not to the Postmaster General, but to the cheeseparing, niggardly, and contemptuous policy which the Treasury has pursued towards postal reforms in Ireland. I might refer to the difficulties we have experienced in obtaining satisfactory answers with regard to the service of Cross Channel Mail Boats. The Postmaster General made up his mind in the course of the winter on the subject, and the matter came before the Treasury, and only a few days ago we succeeded, by repeated questions and efforts more numerous than ought to have been required, in inducing the Treasury to take satisfactory action in the matter. In County Leitrim the delivery of letters is delayed by 24 hours. The Postmaster General offers for a journey of 28 miles the sum of £20 a year for a mail service during 12 months. I do not think payment should be limited in such a manner, especially considering Ireland's contribution to the Imperial Revenue. The Treasury could well afford to be a little more liberal. There is another matter on which I have lately asked questions, but have been unable to obtain any information. It is as to the revision of the Teachers' Pension Scheme. I asked the First Lord of the Treasury when the revision was likely to be completed. As to the pensions themselves it is a grievous hardship to the teachers that in order to earn the supplemental pension they have to work four years longer than for the ordinary pension. Even if it meant larger payments from their salaries, they would be better satisfied if they could get the whole pension at

the end of forty years instead of serving four years more in order to get an additional fraction. I am not aware that the system pursued in Ireland is adopted in any other part of the country. Then there is the question of hospitals. The sum of £17,000 was allocated to the City of Dublin twenty years ago on a basis which does not now obtain, and I ask, in the public interest, that this allocation should be made on a new basis. Why do the Treasury delay it? It is delayed because certain individuals claim to be entitled to compensation, and the Treasury allow personal interests to overbear the public interest, because these individuals will not consent to an arrangement.

THE CHAIRMAN: That is the subject of a special Vote.

MR. SEXTON: I will not pursue that part of the question. I thought it might come within the scope of the Vote. I am sorry the Chancellor of the Exchequer is not present, because I find it my duty to move a reduction of his salary in respect of the financial relations between England, Scotland, and Ireland. The House is generally familiar with the state of things. The Chancellor of the Exchequer made a specific promise last year. I brought forward in the Debate on that occasion what I considered the scandalous and intolerable grievance which existed in regard to the contributions from Ireland to the Imperial Revenue. If you judge Ireland by any fair test ordinarily taken of the capacity of a country in respect of its taxation, you will find that Ireland is paying double her share to the Imperial Revenue. It is a serious matter when a representative of the Irish people in this House, on a specific argument, lays before the House the fact that Ireland now pays £8,000,000 every year, or, after readjustment, will pay £6,500,000 to the Imperial Treasury, or one-eleventh of the whole—it is scandalous, I say, that such a representative should be told, when his country is paying double what she should do, that a Committee has been promised. But here, at the end of the second Session after that promise, no step forward has been made. Ireland is not in a condition to go on year after year bearing this unjust burden, without any attempt being made to inquire whether the burden is just or unjust. The proposal to appoint the Committee to inquire into the finances of Ireland in relation to England was put down to come on after midnight, when the objection of a single Member could stop any progress being made with the proposal. A Welsh Member did object, and the result of it was that the Committee was not appointed, and an important question like the finances of Ireland is left in the background. It was only once that the Committee met last season —that was only for half-an-hour—when the Committee directed that certain Returns should be prepared. That is all that was done last year. One would have thought that the Chancellor of the Exchequer would have put down the proposal for the appointment of the Committee at a time when there would have been a chance of discussing the proposal. But excuses have been made that some Members of last year's Committee were absent through illness, while one or two of the Irish Members serving on it were in prison. Here we are at the end of the second Session without anything whatever being done. I am prepared to advance proofs to the Committee that Ireland is paying £3,000,000 more to the Imperial Revenue than she ought to pay, and yet the Committee which should inquire into such an important question is allowed to run on from year to year without doing anything in a matter that is both pressing and urgent. The Finance Minister, whose duty it is, has never submitted a Motion for the re-appointment of the Committee at a time when the matter could be fully and fairly discussed. This is a peculiar and strange state of affairs after 90 years of Union, that when a question about Irish finances is asked the Finance Minister has to go and consult some clerk up the street as to what proportion Ireland is contributing to the Imperial Revenue. It is in this way that we have procrastination and delay in reference to all Irish questions, and by way of protest against the injury and insult offered to Irish interests, I shall move that the salary of the Chancellor of the Exchequer be reduced by £1,000.

Motion made, and Question proposed,

"That Item A, of £51,174, Salaries, &c., be reduced by £1,000, part of the Salary of the Chancellor of the Exchequer."—(*Mr. Sexton.*)

(4.55.) COLONEL NOLAN (Galway, N.): The hon. Member for West Belfast has called attention to a very great grievance, namely, the manner in which the appointment of this Committee has been put off. I find that it has not been appointed this year, and that is an act of negligence on the part of the Chancellor of the Exchequer. The manner in which he is treating Ireland is extremely harsh. This is a substantial grievance. Two sums of money are being allotted to Ireland on a financial basis which is most detrimental to Ireland. One has reference to assistance under the Poor Law, and £30,000 or £40,000 a year is being kept off Ireland because the clerks at the Treasury have taken a totally erroneous view of the financial relations of Ireland and England, which erroneous view the appointment of the Committee would dispel. The other is the grant under the Education Bill, and we are to get £30,000 less than we would get if it were known that we contribute equally in proportion with England to the Imperial Revenue. Now, until the Chancellor of the Exchequer is able to get this Committee appointed, I think he ought to adopt the rough-and-ready guide in allotting this money of the amount of revenue collected in each country. That is a request based on simple practice, and one which we would accept pending the thorough examination of the whole question. I believe that the Chancellor of the Exchequer has proceeded in his calculation upon a totally wrong basis. Clerks or subordinates, it is well known, can, if they think their superiors desire that the Return should be in a certain direction, give it the leaning required. I do not say that they falsify the figures; but they can give it a leaning. The first Return on this matter was favourable to Ireland; but every Return issued since has been more and more against that country. I maintain that until the Committee has sat and reported, the only fair principle to adopt is to take the amount of revenue collected in each country.

*MR. BUCHANAN (Edinburgh, W.): I support the Motion of my hon. Friend the Member for West Belfast, because it is a question which affects Scotland as well as Ireland. The principle of 11 per cent. to Scotland, 9 per cent. to Ireland, and the remainder to England was adopted three years ago by the Chancellor of the Exchequer on a basis which he has never yet explained to us. We contend that it is not a reasonable basis, yet the precedent is allowed to grow in the allocation of these moneys from year to year. And we shall find it more and more difficult year after year to urge our case upon the House for a re-consideration of the method of allocation of the shares of Ireland and Scotland. Undoubtedly, there was only one substantial question raised in connection with the appointment of the Committee, namely, whether Wales should be separately treated, and if half an evening had been devoted to the subject, the Government might have got the Committee elected three months ago. I shall support the Motion of the hon. Member for West Belfast.

(5.1.) MR. T. P. O'CONNOR: I think my hon. Friend is entirely justified in all he has said on this subject. The question is one of fundamental importance to Ireland; it is whether she is paying an undue proportion of the Imperial taxation, and I cannot understand how the Chancellor of the Exchequer and the Secretary to the Treasury can reconcile their neglect of this subject with their duties to Ireland. The question is essentially urgent in its character. My hon. Friend believes that Ireland is paying £3,000,000 more every year towards the Imperial taxation than she ought to pay, and the dispute should be investigated promptly. No doubt we shall be told that the failure to appoint the Committee is due to the action of hon. Members from Wales, but my reply to that is that the Government are under a pledge to appoint the Committee and ought to have done so. Does not the Secretary to the Treasury think the question whether Ireland is being made to pay an excessive amount of taxation is worth two or three hours of the time of this House? Right hon. Gentlemen opposite are apt to paint the condition of Ireland in very rosy colours, but the last Census Returns tell a tale of a very different nature, for alone among the dominions

of this Empire has its population seriously diminished. That is not surprising, seeing how unfairly Ireland is taxed, and unless a change is soon brought about we shall lose another million of the population in the next decade. I hope we shall get a distinct and definite pledge from the Government that this Committee will be appointed very early next year. They have often protested their desire to benefit the Irish people, and though I have no wish to call in question their sincerity, I say they can now prove whether or not they intend to act fairly towards Ireland in this matter of taxation.

MR. SINCLAIR (Falkirk, &c.): I quite agree that this is a matter of very great importance, and I regret very much that the Committee has not been appointed. I think the subject is of equal importance to Scotland. But the question arises as to whether the delay that has occurred is due to the Chancellor of the Exchequer. I do not think it is. In my opinion it is due to the action of certain hon. Members from Wales in seeking to have the inquiry extended to the case of Wales. I will, however, join with hon. Gentlemen who have already spoken in urging that the matter shall be taken up at the earliest opportunity next Session.

(5.10.) MR. S. T. EVANS (Glamorgan, Mid.): The hon. Member who has just spoken seems to think that the United Kingdom is only composed of England, Scotland, and Ireland, and to forget that Wales may have a desire to see this Committee appointed. He complains that owing to our opposition the Committee has not been elected. But we have told the Chancellor of the Exchequer over and over again that we will not oppose the appointment if the Committee is made complete, and if its investigation is allowed to extend to all parts of the United Kingdom. I think it would be very easy to show that Wales is contributing more to Imperial taxation than her resources justify. The Chancellor of the Exchequer offered to bring on the Motion for the appointment of the Committee one evening if we would content ourselves with merely dividing the House. But what we want is a reasonable discussion, and the right hon. Gentleman is very much mistaken if he thinks we will agree simply to be voted down. A mere Division would be perfectly useless. I do not think we ought to be accused of obstructive tactics simply because we desire to have a discussion on the advisability of including Wales in this inquiry. When the Committee was first proposed, there was not a single Welsh Member among the hon. Gentlemen nominated, and it was not until we raised a protest that the name of the hon. Member for Montgomery appeared in the list. We shall continue to object to the appointment of this Committee until our reasonable desires are met by the Government.

(5.13.) MR. JACKSON: I do not think that the hon. Member for West Belfast has treated either the Chancellor of the Exchequer or the Treasury with justice. He has complained seriously of the action of the Treasury in connection with the delay in the completion of the arrangements for a mail service *viâ* Stranraer. I am quite prepared to defend the action of the Treasury in that matter. It would have been a monstrous waste of public money if the Treasury had not resisted the exorbitant demands that were made for such a service. The result of the resistance of the Treasury has been that a contract has been made for about half the money that was at first demanded. That alone affords ample justification for the action of the Treasury. I may further point out that this is a question for the Post Office. The Treasury can only deal with such matters on the recommendation of the Post Office. The hon. Member for West Belfast has spoken of the cheeseparing policy of the Government with regard to Ireland. For my own part all I can say is that I am quite sure that the hon. Member cannot carry his mind back to a period in the history of this country when any Government or Chancellor of the Exchequer or Treasury has endeavoured to do more for Ireland than has been done by the present Government, and I think that the charge hardly comes with a good grace.

MR. SEXTON: I hope the right hon. Gentleman will excuse my interruption. My contention is that Ireland is obliged to pay £3,000,000 too much, and as long as that is done I decline to be thankful for doles of an infinitely less amount.

MR. JACKSON: Gratitude from the hon. Member is more than I either anticipate or desire, but I must say that the Chancellor of the Exchequer has been most anxious to have this Committee appointed. I believe that the hon. Member, who contends that Ireland pays too much, will be convinced when he sees the figures that she is doing nothing of the kind. It was understood that it is rather for the convenience of hon. Members from Ireland that the Committee should not meet early in the Session. With regard to the complaint of the hon. Member for Glamorganshire that there was no Welsh Member proposed, that was not the fault of the Government, who were anxious that every part of the House should be represented. With regard to treating Wales separately, I may point out that there are no figures available for this purpose, and the proposal is impracticable. The information collected will be at once circulated, and I hope that the earliest opportunity will be taken next Session for moving the appointment of the Committee.

(5.21.) DR. CLARK: When the Committee was proposed last year five of the Members nominated were representatives of London constituencies, and I opposed the Motion because the Principality of Wales was unrepresented. The Committee sat once last year, and it was understood that it would meet again early this Session, but when the Chancellor of the Exchequer was questioned about it he pleaded that he was too busy with his Budget. Since then the Committee has not been appointed, simply because the Government by not bringing it on before midnight refused to allow the question of the inclusion of Wales in the inquiry to be threshed out. That is not the way to disabuse our minds of the impression that in the matter of taxation we are being defrauded, and if the Government wish to convince us of their desire to treat all parts of the United Kingdom fairly they will move the appointment of this Committee early to-morrow, and allow it to get to work this Session. Seeing that the Scotch as well as the Irish Members are dissatisfied, something ought quickly to be done to clear up any doubts that exist. If Ireland has cause for complaint I think that Scotland has still greater reason, for a Return published some years ago showed that the Scotch people paid 2s. more per head of taxation than the English, and 12s. more than the Irish.

*(5.27.) MR. H. H. FOWLER (Wolverhampton, E.): This is a statistical question, which ought to be taken into consideration altogether outside Party politics. While no one can dispute the importance of the question with which this Committee will have to deal, it is a most difficult and perplexing one, upon which there must be a large mass of evidence to consider which has never been fully considered by a Committee of the House. It once fell to my lot to have to consider the financial relations of the different parts of the United Kingdom. I will ask hon. Members to reserve their opinions on both sides of the question until they see the figures. It seems to me that there has been a great misunderstanding about the Committee this year; the Chancellor of the Exchequer seems to have got the impression that there is no anxiety on this side of the House with regard to it. For my own part, I have always been most anxious for its appointment. With regard to what has been said about the claim of Wales, on that point also I will reserve my opinion. I have not seen the documents which have been circulated, but they will require a great deal of consideration, and, therefore, even if the Committee were appointed to-morrow, it would be impossible to deal with the question before the end of the Session. Therefore, I suggest that my hon. Friends below the Gangway should rest content with the promise—first, that the information shall be at once circulated to hon. Members; and, secondly, that the Committee shall be appointed at the commencement of next Session.

MR. SEXTON: Did the right hon. Gentleman notice that the right hon. Gentleman opposite carefully abstained from saying he would put the Motion down as the first Order, and thus prevent the operation of the 12 o'clock Rule in respect of it?

*MR. H. H. FOWLER: I understood the First Lord to say that the Committee will be appointed at the commencement of next Session. It is quite evident the Government will take the Motion before 12 o'clock.

*(5.31.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I should like to repeat that we will take the earliest opportunity next Session of moving the appointment of this Committee. The right hon. Gentleman has very fairly observed that a misunderstanding has existed as to the desire for the appointment of the Committee at an early period of this Session. The Chancellor of the Exchequer was of opinion that hon. Gentlemen below the Gangway did not desire the Committee to be appointed early in the Session. He perhaps failed to gather the real opinion of hon. Members, but that was his belief; and, as the right hon. Gentleman has stated, circumstances intervened which made it difficult to proceed with the Motion which had been placed on the Paper. It is the intention of the Government to circulate the Papers with the least possible delay. The Secretary to the Treasury will move to-night for the Papers. The most recent information has been incorporated in the Papers. So that when hon. Gentlemen come at the earliest part of next Session to the consideration of this difficult question they will find themselves possessed of the latest and most authentic information. I trust the Papers will completely set at rest those doubts and difficulties which I believe are honestly entertained by hon. Gentlemen below the Gangway.

MR. SEXTON: We have our own opinions, and they are sufficient for us for the present. I hope the pledges given will be kept. My experience, I confess, makes me rather sceptical. Meanwhile, I think it is necessary, as a measure of precaution, to put on record by a Division our sense of the treatment we have received.

SIR G. CAMPBELL (Kirkcaldy, &c.): I think Her Majesty's Government have failed to make even a decent excuse for the non-appointment of this Committee. After what passed last year we had every reason to suppose that the Committee would be one of the first appointed this Session. I do not know how Ireland and Wales will come out of the inquiry, but I am confident Scotland will come out well. As to the Papers, I fear they will not present a fair view of the question. Unless they show the receipts of the common Metropolis they will not afford material for a fair investigation.

(5.35.) COLONEL NOLAN: We are told to possess our souls in patience, but we in Ireland are paying £60,000 for putting the question off until next year. £30,000 at the least is to be stopped for poors rates, and I am told that £30,000 is to be stopped for free education. I believe the Chancellor of the Exchequer is allotting this money unfairly. The question I am anxious to put to the Secretary to the Treasury is whether, with the allotment of this money, Ireland receives credit for the whole of the taxation collected in Ireland? Are the taxes collected in Ireland credited to Ireland when the grants from the Exchequer are allotted for education and in relief of the poors rates?

MR. JACKSON: The greatest pains have been taken to obtain accurate information as to what the contribution of each country is. The contribution from spirits, for example, is ascertained by ascertaining the consumption.

COLONEL NOLAN: Then are we to understand that Ireland gets a less share than she would if all the taxation collected in Ireland were credited to her?

MR. JACKSON: No; I cannot say that.

COLONEL NOLAN: I want a clear answer. Would Ireland get a large share if all the taxation collected in Ireland were credited to her?

MR. JACKSON: I think if Ireland were credited with all the taxation on all the whisky drunk by Englishmen she would certainly get a larger share.

COLONEL NOLAN: I cannot get a straightforward answer. I do not want Ireland to be credited with the taxation on all the whisky drunk by Englishmen, but I do want her to be credited with the taxation on whisky which is collected in Ireland. I want the Secretary to the Treasury to tell us whether she would get a larger sum if she got credited with all that taxation.

MR. JACKSON: I am afraid I cannot answer that.

*(5.43.) MR. H. H. FOWLER: I think that on examination the hon. and gallant Gentleman must see that his proposition is a most extraordinary one. The people who pay the taxation on Guinness's stout

or on Irish whisky are the people who drink it, and many of them live in England and Scotland. The taxation is collected in Ireland, but surely Ireland is not entitled to be credited with it? With reference to his proposition to divide the Committee, I beg the hon. Member for West Belfast to look at the difficulty in which we are now placed by the statement of the hon. and gallant Member for Galway. The hon. and gallant Gentleman says he means by his vote to record his dissatisfaction at the present allocation of taxation between the three countries. That is the very question into which the Committee is to inquire.

MR. SEXTON: This is not a trivial matter; it is not a question of any error of judgment or of misapprehension. Months ago the Chancellor of the Exchequer knew we wanted the Committee. As to the hon. and gallant Member for Galway, I presume he will vote with me in order to express his discontent that he has not been afforded any opportunity of ascertaining whether his dissatisfaction is well founded.

SIR G. CAMPBELL: Will the Secretary to the Treasury promise that the Papers shall be in the hands of Members before the Prorogation, so that if we think they are not sufficiently full and distinct we may have an opportunity of asking for more?

COLONEL NOLAN: I desire to say that I have no wish to disturb the hon. Member's (Mr. Sexton's) idea as to the object of my vote.

MR. LLOYD-GEORGE (Carnarvon, &c.): The right hon. Gentleman has blamed the Welsh Members for the non-appointment of the Committee, but why should he refuse to admit Wales within the province of the inquiry? If he would do that then the Resolution for the re-appointment of the Committee might be carried without any discussion at all. The Secretary to the Treasury says there are no figures at hand from which the contribution of Wales to the Exchequer could be ascertained; but could not the Treasury ascertain through the Revenue Officers the contribution of each particular county to the Imperial Revenue?

MR. JACKSON: It is quite impossible. The question has been asked more than once, and the Inland Revenue have always pointed out it is quite impossible.

MR. LLOYD-GEORGE: If there is a difficulty, amounting to an impossibility, in ascertaining the exact amount of the contributions of Wales to the Exchequer, then it would be demonstrated to the Committee, and the Committee would report the impossibility.

(5.50.) The Committee divided:—Ayes 94; Noes 154. — (Div. List, No. 340.)

Original Question again proposed.

(5.57.) MR. HOWELL (Bethnal Green, N.E.): I desire to call attention to the item for the Statute Law Committee, and the answer given by the First Lord of the Treasury a night or two ago. It will be recollected there is a Bill before the House for Statute Law revision, and this Bill has been through the House of Lords. This Bill has been drawn on the lines of previous Bills dealing with the same subject passed during the past 25 years, except that on the present occasion the Bill is drawn in accordance with the view expressed in the Report of the Select Committee of last Session. But the First Lord of the Treasury has resolved that only part of the Bill shall be relegated to the Select Committee, under circumstances which I think are not respectful to the House, considering what transpired last Session in regard to Statute Law revision——

THE CHAIRMAN: That is not a subject for consideration upon this Vote. The Committee itself has nothing to do with it.

MR. HOWELL: I shall move a reduction of the Vote by the sum of £200, which is the amount in excess of the Vote of last year, as a protest against the way in which the Government have dealt with the matter.

Motion made, and Question proposed,

"That Item G, of £1,115, revision of the statute law, be reduced by £200."—(*Mr. Howell.*)

*(6.0.) MR. W. H. SMITH; I do not know whether I should be in order in replying to the speech with which the hon. Member prefaced his Motion for the reduction of the Vote. I see you shake your head, Sir, so I am placed in a little difficulty. But perhaps, by the indulgence of the Committee, I may be

allowed to say that the action which I took in this matter was taken upon my responsibility in the position which I occupy, bound as I am to consider any objection raised. I referred the matter to the Statute Law Revision Committee, who, I am glad to say, entered into it with impartiality, and with that sincere desire for the public interest which they have always shown, and the result is that the present arrangements were entered into at their suggestion.

MR. HOWELL: I wish it to be understood that I have no objection to urge to the Statute Law Committee, who, I believe, do their work in an admirable manner. Nobody can be more conscious of that than I am, yet I do feel that a protest should be made against the way in which the Bill has been handled.

SIR G. CAMPBELL: I have no doubt that as regards England very useful work is done; but Scotch Statutes are not dealt with, or at least I was under the impression that Scotch Statutes were not to be dealt with; but I find an item in the Vote (£52 for draftsmen) employed in expurgating Scotch and Irish Statutes. Are we to understand that this work of expurgating Scotch and Irish Statutes is with a view to the editing and revision of those Statutes, and how is it that only this small sum, about equal to the wages of an unskilled artizan, is spent on it?

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): The Statute Law Revision Committee have been directed to deal with Imperial Statutes only, and therefore they have not dealt with the Scotch Statutes. In dealing with Imperial Statutes it has been necessary, in relation to parts of such Statutes as refer to Scotland and Ireland, to consult other Departments—the Lord Advocate's as representing Scotland, and the Attorney General for Ireland's as representing Ireland; but we only deal with Imperial Statutes.

SIR G. CAMPBELL: Have the pre-Union Statutes been revised at all?

SIR E. CLARKE: Pre-Union Statutes have been revised at a time now long passed, and we are dealing with much later Statutes.

SIR G. CAMPBELL: But the Scotch Statutes have not been dealt with.

MR. HOWELL: It is not my intention to press my protest to a Division, and, with the permission of the Committee, I will withdraw my Motion.

Amendment, by leave, withdrawn.

Original Question again proposed.

SIR J. SWINBURNE (Staffordshire, Lichfield): To emphasise my complaint against the Treasury, I beg to move a reduction in the Vote for the salary of the Secretary by £100——

THE CHAIRMAN: That item has been passed over.

SIR J. SWINBURNE: The complaint I have is, that the dilatory action of the Treasury hinders the work of other Departments.

SIR G. CAMPBELL: Under this Vote are included—and this was not the case formerly—the expenses of the Suez Canal Company Directors, and questions in relation to the Suez Canal must be raised now or not at all. I have been in the habit of moving a reduction in the amount in respect of the payments to Sir Rivers Wilson, to whom more than any other man I attribute our troubles in Egypt. But I take the opportunity now of asking for some information in respect of the Canal. We at one time heard a great deal about widening and improving the Canal, though we have not heard much in this direction in recent years. There has been improvement, I believe, in lighting. But I should like to hear what is being done, or is in contemplation. I do not know if the Secretary to the Treasury is able to give us any information.

(6.6.) MR. MORTON: At the same time, perhaps, the right hon. Gentleman can give us some explanation of the entries for British Directors. I notice there is an entry "Resident Director," and no salary is attached; but there is a note to the effect that the Resident Director is allowed to retain his fees and emoluments in lieu of salary and pension on condition that if his fees and emoluments fall below £1,000 during any one year then Parliament shall be asked to vote the deficiency. What is meant by "fees and emoluments"? what does he get these fees for?

MR. JACKSON: Well, I should have thought the hon. Member would have understood that when a man is Director of a company he does sometimes get fees and emoluments for attending to the business of the company. This is

what is meant: There are fees and emoluments, and the arrangement made is an economical one. I believe we pay a certain fixed salary to the Directors (non-resident), and the fees and emoluments are paid into the Exchequer. The result is, we receive a good deal more than we pay, and the directorate does not cost us anything.

MR. MORTON: Then the two non-Resident Directors at £450 and £500 do not receive any fees and emoluments?

MR. JACKSON: No.

MR. MORTON: But the Resident Director does, and why, if in the one case it is a wise and an economical course to pay salary, is that course not followed in the other case?

MR. JACKSON: For the simple reason that the Director is allowed to take the fees and emoluments. The excess of these over salary is paid into the Exchequer.

SIR G. CAMPBELL: Is the right hon. Gentleman right in this? Does the excess go into the Exchequer? The note says—

"The Resident Director is allowed to retain his fees and emoluments in lieu of salary and pension on condition that if his fees and emoluments fell below £1,000 during any one year Parliament shall be asked to vote the deficiency."

There is not a word about the excess over £1,000 being paid into the Exchequer.

MR. MORTON: Am I to understand that the fees and emoluments amounted to exactly £1,000 last year?

MR. JACKSON: I cannot say.

(6.10.) MR. MORTON: Well, but somebody has the information. The right hon. Gentleman says if the fees exceed £1,000 the balance goes to the Treasury, and I should like to know if the amount has been paid into the Treasury. If the right hon. Gentleman cannot give the information now perhaps he will allow the Vote to be postponed. [*Laughter.*] It is very well for hon. Gentlemen opposite to laugh, but right hon. Gentlemen hold their position on that Bench for the purpose of giving us information to enable us to consider these Estimates, and, failing such information, it is not unreasonable to ask for the postponement of a Vote.

MR. JACKSON: There is some misunderstanding about the question and answer. I was referring to the Directors who received a fixed salary, and whose fees and emoluments go into the Exchequer. The Resident Director has no salary, and receives the fees whatever they may be.

SIR G. CAMPBELL: Who is the Resident Director, and can the right hon. Gentleman say what is doing in reference to widening and improving the Canal?

MR. JACKSON: I think—but I am not quite sure—that at present the Director is Mr. Austin Lee.

MR. MORTON: Then we are to understand that if the fees and emoluments exceed £1,000 the excess is not paid into the Treasury by the Resident Director?

MR. JACKSON: Quite so; but he does not get any salary.

MR. MORTON: Then there is an item of £385 for travelling and incidental expenses. Does that money go to the Directors? It is not quite clear who gets it. Also I would ask what the "Receiver of Hereditary Revenue" does for his £300. There is also an allowance to the same official of £145 for office expenses. It is admitted that it is a bad practice to make such payments without any statement as to how the money is used. Can the right hon. Gentleman give us any information upon these points?

MR. JACKSON: I believe the travelling and incidental expenses were actually payments out of pocket. As to the Receiver of Hereditary Revenue it is an office which, in all probability on the next vacancy occurring, will be abolished.

Question put, and agreed to.

3. Motion made, and Question proposed,

"That a sum, not exceeding £65,385 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department and Subordinate Offices."

*(6.14.) MR. G. OSBORNE MORGAN (Denbighshire, E.): In putting down my notice of Motion to reduce the Vote by £100, of course I have no intention of making an onslaught

upon the salary of the right hon. Gentleman. I adopt the usual form for the purpose of bringing before the Committee a matter of vital interest to many of my constituents, and which is of general importance, namely, whether the right hon. Gentleman has not violated the provisions of his own Act of Parliament by appointing as an Assistant Inspector of Welsh coal mines a gentleman who cannot speak a word of the Welsh language. The district to which this appointment is made comprises, I may say, the whole of the North Wales coal fields. It takes in also part of Lancashire, and is called the West Liverpool District. Taking the figures from the Report of Inspector Hall, I find the total number of miners in the district is 50,796, of whom more than 12,000 are in the Welsh part of the district. There are no official statistics which show what proportion of these 12,000 Welsh miners speak Welsh; but, speaking from my own intimate knowledge of the country, I should say you would not be above the mark in putting it down at 10,000, and in estimating that several thousands, at least, among them speak nothing but Welsh. The 39th section of the Coal Mines Regulation Act, 1887, places the appointment of Inspectors in the hands of the Home Secretary, but provides that in Wales and Monmouthshire, among candidates, equally qualified persons having knowledge of the Welsh language shall be preferred. I take that to mean that where you have a first-rate man who can speak Welsh he should be preferred to a man who cannot. Amongst his duties the Inspector has to examine into and make inquiry respecting the state and condition of any mine, the ventilation, and all matters relating to the conduct of the mine. When an Inspector goes down a mine he meets, perhaps, 20 or 30 persons whom he has to examine, and the only person, as far as I can discover, who acts as interpreter between him and the colliers is the very man whose conduct is in question—that is to say, the manager. I have received several letters from men speaking of the extremely unsatisfactory condition of affairs to which this leads on. I am not astonished to find from the able Report of Mr. Hall that that gentleman complains of the extreme paucity of convictions. It is not surprising that there should be few convictions if the evidence has to filter through the lips of the man who would be liable if the accusation were made good. I have, unfortunately, mislaid a letter from Mr. Richard Jones, the Secretary of the North Wales Miners' Federation; but I may say that Mr. Jones specially traversed the statement of the right hon. Gentleman that when the office of Inspector was filled by a gentleman who did not understand Welsh the work of inspection proceeded in a satisfactory manner. The new Inspector, Mr. Stokes, is a man against whom I have no complaint, except that he does not speak a single word of Welsh. I should have thought that the right hon. Gentleman would have availed himself of the opportunity afforded by the vacancy in this district to appoint one person who was conversant with the Welsh language. I know, as a matter of fact, that there were among the candidates properly qualified gentlemen who speak Welsh. In particular, there was one who is the manager of one of the largest and most successful mines in North Wales. Yet the right hon. Gentleman appointed a gentleman from Leicester who is unable to speak a word of Welsh. The appointment is in direct contravention of the assurances given to us by the right hon. Gentleman with reference to South Wales on the 21st April. The right hon. Gentleman stated on the 1st of June, in reply to a question I put to him, that Mr. Stokes had the best qualifications of 28 selected candidates, among whom were several who could speak Welsh, including one whom he has since appointed to the South Wales district. That is a distinct admission that there were applicants eminently qualified in other respects who also knew Welsh. The appointment has given rise to a great amount of irritation in the district. The right hon. Gentleman said the district was only partly in Wales. I cannot conceive that that is put forward as a serious argument, because, if so, the effect would be to deprive North Wales entirely of the benefit of the proviso. I think the right hon. Gentleman said, also, that the duties of

Inspector had been satisfactorily discharged by gentlemen who could not speak any Welsh. I join issue with the right hon. Gentleman on that point. I am told, as I have already said, that the reverse is the case. The duties cannot be satisfactorily carried out if the Inspector derives all his knowledge of the facts from a man who is himself liable to a penalty if anything wrong has occurred. I have brought the question forward as a matter of public duty; and I cannot help thinking that, apart from its great importance to my own constituency, it also raises a grave constitutional question. Unless the right hon. Gentleman is prepared to give some more satisfactory explanation of the course he has adopted, I shall feel it my duty to divide on the question.

Motion made, and Question proposed, "That Item A, of £28,587, Salaries, be reduced by £100 (part of the Salary of the Secretary of State.")—(*Mr. G. Osborne Morgan.*)

*(6.31.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The right hon. Gentleman challenges my exercise of my patronage; but when he says I have violated the Act of Parliament, I must point out that he studiously refrained from stating the real point of all my answers to him. The substance of those answers has been that I regarded Mr. Stokes, who was appointed, as far and away the best qualified candidate. I explained to the right hon. Gentleman the enormous pains I took, as I do in every case of the kind, to get the best man. There were, in the first instance, more than 300 candidates, amongst whom was a *protégé* of the right hon. Gentleman himself. The chief recommendation of that gentleman was that he spoke Welsh, but his name could not be included in the list of those who were selected.

*MR. G. OSBORNE MORGAN: What testimonials had he?

*MR. MATTHEWS: If the right hon. Gentleman saw as many testimonials as I do, he would be astonished to find how many admirable qualities are attributed to candidates. In this case I laboured through the long list of names, and made inquiries from those best able to judge, until the candidates were ultimately winnowed down to 28. But Mr. Stokes, who shortly before had been placed second in an examination which was held on the occasion of another vacancy which had occurred, appeared to me to possess superior claims. I should have preferred even for this Liverpool appointment a man who spoke Welsh, but the qualifications of Mr. Stokes seemed to me to be so much superior to those of the other candidates that the section did not seem to me to apply at all. I thought that Mr. Stokes, having distinguished himself so much in the examination and having subjected himself to all the trouble and expense of the examination, was entitled to the appointment. The Liverpool district has always been regarded as an English district. The tonnage produced in the Welsh portion of the district is 12,000 out of 60,000, or one-fifth of the whole, and the number of colliers is about one-fifth. The district has always been administered by English-speaking Inspectors. Neither Mr. Hall nor Mr. Hedley had any tincture of Welsh upon them, and I am bound to say that no report has ever reached me to the effect that any inconvenience ever arose in the district from the want of a knowledge of Welsh on the part of the Inspectors. I am given to understand that they generally found some foreman or superior workman who knew sufficient English to state the grievances of his fellow-workmen. Mr. Stokes has quite ability enough to acquire the Welsh language, which I should certainly encourage him to do, if he gives his mind to it.

(6.38.) MR. ABRAHAM (Glamorgan, Rhondda): I am rather sorry that it is necessary to call in question the appointment of such an able man as Mr. Stokes. Still, it is not a question of tonnage with us, but a question of men. We have in this part of Wales 12,000 men, at least 50 per cent. of whom are Welshmen, and—I am sorry to have to admit it—Welshmen that understand no other language than the Welsh language. Inspection, so far as its reality is concerned, is consequently lost in the district if you send there an Inspector, however able he may be technically, who cannot converse with the workmen in their own language

No one can be more grateful to the right hon. Gentleman than I for the clause he put into the Act relating to the appointment in South Wales—which clause he has most faithfully carried out. I only wish I could have said the same thing with regard to the appointment we are now discussing. As a practical miner, I have seen Inspectors making inquiries in mines where accidents have occurred. I have known them obliged to go for information to men who did not understand a word they said to them. They had to fall back upon the officials of the mine, and I solemnly declare here that such an examination into the facts of an accident might just as well never be made. The Inspector in such cases is quite in the hands of the persons whose character and conduct he is inquiring into. I am sure there is no one in the House more anxious to see the work of inspection done thoroughly than the right hon. Gentleman himself, otherwise he would not have done so much as he has done for us already. I should like to hear from him whether he does not think there is a call for something to be done to remedy the present condition of affairs. We know that amongst the candidates for the appointment of Inspector there were several colliery managers who have obtained certificates of competency for the mangement of mines. If they can obtain such certificates and can do their work to the satisfaction of their employers, surely they can do the work of inspection, and do it well. I would suggest to the right hon. Gentleman two ways out of the present difficulty. In the first place, I would suggest that North Wales should be attached to South Wales, so that the same Inspectors should be employed for both parts of the Principality. That would be the best thing to do, but if there are great difficulties in the way, I should like to ask the right hon. Gentleman directly a vacancy takes place in England to remove Mr. Stokes there and appoint in his place the best Welsh-speaking candidate, so that in Wales we may have inspection carried out in reality. If the right hon. Gentleman assents to either of these courses I do not think we can ask him to do more.

(6.46.) MR. ABEL THOMAS (Carmarthen, E.): I join with my hon. Friend in his suggestion to the Home Secretary that those parts of Flintshire and Denbighshire where there are miners should be added to the South Wales District and taken from the English District. I know a good deal about the work in collieries, and I have come to the conclusion that it is of vital importance to the Inspectors where the colliers speak Welsh that they should be Welshmen having a knowledge of the language themselves. The men are unable to make complaints in any other than their own language, and I would suggest to the right hon. Gentleman the Home Secretary that it is absurd to suppose that the men can go to an overman or foreman, and ask him to make complaints to an Inspector, for the reason that it is very frequently in consequence of the negligence of these officials that complaints have to be made at all. However able an Inspector may be, and whatever competitive examination he may have passed, it is impossible for him to find out defects in a mine if he does not understand the language of the miners. The Home Secretary told us that he had passed the candidates through a competitive examination. Well, he must have known from the very moment that the examination was entered into that if it was conducted in English it was ten thousand chances to one that an Englishman would win. If it had been conducted in Welsh, I have no hesitation in saying that a Welshman would have been at the head of it. I venture to say that you do not want as an Inspector a man who can distinguish himself at a competitive examination, but a man who has been in a mine and who has had experience underground. The Act of Parliament says that in making the appointments in Wales and Monmouthshire amongst candidates equally qualified, the person having a knowledge of the Welsh language shall be preferred. Well, I do not say anything against Mr. Stokes, whom I have heard on all hands is an exceedingly able man, and well fitted to be an Inspector, where he understands the language of the people amongst whom he goes; but clearly he is an Inspector of mines "in Wales and Monmouthshire." The Act says "otherwise equally qualified," and the intention of the Legislature must have been this—that where you have

two men both of them fit to be Inspectors, one able to speak Welsh and the other unable to do so, even though the latter may be the better qualified—the Welsh-speaking man is the one to be appointed. The Home Secretary has not said that there was not a properly qualified Welsh-speaking person amongst the 28 candidates from whom the selection was made. If there was, I submit that under the circumstances he ought to have been appointed, and not Mr. Stokes, however able that gentleman may be. That is a matter of importance, not to Welshmen especially, but to the whole of this country, because the lives of the colliers are endangered if they cannot make complaints to the man who has charge of their safety. I trust that what has been suggested by my hon. Friend will be acceded to, and that in future we shall have Welsh-speaking Inspectors taking care of the lives of all Welshmen engaged in collieries.

(6.53.) MR. J. POWELL WILLIAMS (Birmingham, S.): I would urge on the Home Secretary the vast importance of this question. I am perfectly convinced that if it be true that 50 per cent. of the men engaged in North Wales speak only the Welsh tongue, and if the Inspector is required to find out from them what the real facts of any particular accident are, it is necessary that he should speak the Welsh language. I cannot help thinking that if the right hon. Gentleman the Home Secretary had had any experience in mining he would see the immense importance of this question. I, myself, have occasionally found very great difficulty in ascertaining the actual facts of a case, because I have not understood the particular dialect of an English miner. The miners sometimes use expressions which, unless you have lived your life amongst them, are very difficult to understand. If we find that to be the case in England, how much more must an Englishman find it to be the case amongst the Welsh miners, who do not speak English. I do, therefore, most sincerely trust that the right hon. Gentleman the Home Secretary will consider the propriety of adopting the suggestion of the hon. Member below the Gangway, and, without putting any slur upon Mr. Stokes, whom I know to be one of the ablest gentlemen in the public service in connection with mining, will take some opportunity which may present itself before long of removing that gentleman to another district, and replacing him by a gentleman who is fully conversant with the Welsh tongue.

*(6.56.) MR. S. SMITH (Flintshire): As a Member for a Welsh county containing a large number of miners, I wish to heartily support all that has fallen from the right hon. Gentleman the Member for Denbighshire (Mr. Osborne Morgan). A very strong feeling exists on this subject, and grave dissatisfaction will prevail unless means are taken to remedy what is a real grievance. I think the suggestion thrown out by the Member for Rhondda is a good one, namely, that North and South Wales should be formed into one district. We all see that the present system of dealing with the matter is unsatisfactory, and I cannot see why Wales should not be dealt with separately. If we can get an assurance that as soon as an opportunity occurs steps will be taken in that direction on this side of the House, we shall receive the proposition with satisfaction.

MR. COGHILL (Newcastle-under-Lyne): I think it must be patent to every one that the duty of the Home Secretary in appointing an Inspector was to select the best man, and this he did, although he had to pass over a *protégé* of the right hon. Gentleman the Member for Denbighshire. We have been told that in the Liverpool district there are 38,000 English miners and 12,000 Welsh miners, half of whom are entirely Welsh-speaking. I fail to see why an inferior man should be appointed for the sake of the few Welsh-speaking miners, it might be to the serious detriment of all the rest. It seems to me that the best course was that adopted by the Home Secretary, namely, to give the appointment to the best man, especially as the *protégé* of the right hon. Gentleman below me was not in the 28 selected candidates.

*(6.59.) MR. G. OSBORNE MORGAN: The man to whom the right hon. Gentleman the Home Secretary referred was no *protégé* of mine. I know this of him, that he is the manager of one of the largest mines in North Wales, and has under him 600 or 700 men. I, of course, know nothing about the competitive examination—whether or not this gentleman

was amongst the 28 selected candidates. But on the 4th of June the right hon. Gentleman said that 28 candidates were selected, and that of those several were acquainted with the Welsh language, including a gentleman whom he had nominated to a vacancy that had occurred at the same time in South Wales. I would point out that if you appoint an Inspector who does not understand the language he has to collect the evidence from the workmen, and he is the very man whose conduct is impugned. I ask if that is a fair state of things? I should like to know whether the right hon. Gentleman will undertake to consider the question?

MR. MATTHEWS: Certainly. Mr. Courtney, I will undertake to consider the question, but I may say that I am informed that an Inspector in South Wales would be of no use in North Wales. ["Oh!"] I am not sure of that; but I am told that a Welsh-speaking Inspector in South Wales would be of no use in North Wales. ["No!"] At all events, I undertake to consider the question.

*MR. G. OSBORNE MORGAN: I would point out to the right hon. Gentleman that nearly the whole of the clergy in North Wales are South Wales men.

(7.3.) MR. S. T. EVANS: We are very glad that the right hon. Gentleman has undertaken to consider the question, and I hope he will give it early consideration. I represent a constituency which comprises a large number of miners who do not speak English, and I can assure the right hon. Gentleman that they feel this matter as a real grievance. I hope the right hon. Gentleman's answer is not a convenient one to shelve the question in order to get through the other Votes of Supply, but that he will really give the matter his early consideration. As to the other question, it is a pity we have to enter into questions of this kind; still I venture to say that it would have been better had the right hon. Gentleman paid less attention to competitive examinations, and chosen one of those 58 men who were perfectly competent to discharge the duties. It is very difficult to carry measures of justice to our countrymen in this House. An hon. Member on this side said the Welsh people do not appreciate the nice distinctions of the English language, but he spoke in ignorance of the fact that the Welsh people are as great linguists as even the Anglo-Saxons themselves. There is no difficulty about being understood in either North or South Wales, which might easily be made one district under one Inspector. If there be any difficulty, it is experienced by Englishmen in endeavouring to acquire the Welsh language. I am told that the Bishop of St. David's preaches in Welsh, but that it is difficult to understand a word he says. The right hon. Gentleman should either re-arrange the districts, or make another appointment.

MR. PICKARD (York, W.R., Normanton): I wish simply to ask the right hon. Gentleman whether, if Mr. Stokes were removed, he would take into consideration the applications of managers who hold first-class certificates, and who can speak both English and Welsh?

MR. T. ELLIS (Merionethshire): I desire to thank the right hon. Gentleman for the promise he has given us, and I hope that of the two alternatives he will adopt the former, namely, that of making Wales one district by joining North and South Wales. I am quite sure that with his sense of fairness he will concede that it is much better that Wales should have Welsh-speaking Inspectors. An hon. Member on this side has spoken superciliously of the Welsh people, but I would ask him how he would like a monoglot Welshman or Russian to inspect the mines in the English district which he represents? One of the first requisites of a competent Inspector is that he should know the language of the district in which his duties lie.

(7.12.) MR. ABRAHAM (Glamorgan, Rhondda): I hope we may accept the assurance of the right hon. Gentleman, that this question will be attended to in either of the said two ways which have been suggested.

MR. MATTHEWS: May I just say this, that under the Act I am bound to consider the claims of the candidate—even if he only speak English—whose superiority is marked. However I may desire to meet the wishes of hon. Members, I have a duty also to the candidates.

MR. ABRAHAM: Let it be understood that we do not desire for a moment to have incompetent men as Inspectors. But a manager, before he receives a certificate of competency, has to be examined, and the examination is confined to the English language. They are not examined in Welsh. I hope that the Home Secretary will not for a moment withdraw from the promise he has made.

MR. STUART RENDEL (Montgomeryshire): It seems to me somewhat strange that it does not appear to be desirable in the mind of the right hon. Gentleman the Home Secretary in the question of competition for the appointment of Inspectors in Wales to take into view the necessity of speaking the Welsh language. An Inspector in many parts of Wales can hardly perform his duties in a competent manner unless he understands the language of the people. That, at least, is my opinion.

*MR. G. OSBORNE MORGAN: I wish to say that I do not know the person whom the right hon. Gentleman has called my *protégé* even by sight.

MR. J. POWELL WILLIAMS: It appears to me that under the circumstances all the Welsh people have to do is to send up Welsh-speaking candidates who will distance all the others.

MR. LLOYD-GEORGE: I think the right hon. Gentleman ought to give some answer to the hon. Member for Montgomeryshire before leave is given to withdraw this Amendment. It is exceedingly important that Welsh Inspectors should be appointed for the Welsh collieries. We have, no doubt, excellent Inspectors in Wales, but it is very desirable that they should be able to speak the Welsh language They are desirous of doing their duty, but they are unable to collect the necessary evidence in cases of breaches of the law because they do not understand Welsh.

Motion, by leave, withdrawn.

Original Question again proposed.

(7.18.) DR. CAMERON (Glasgow, College): I wish to call attention to a matter of some importance in Scotland. I have frequently during the Session called the attention of the Home Secretary to accidents occurring in Scotland, involving serious loss of life, and have asked whether he would follow the precedent set by previous Home Secretaries, and order a public investigation. I can quite understand that the right hon. Gentleman does not like to do anything which would appear to run counter to the duties of the Secretary for Scotland, but unfortunately the Scotch Secretary is not intrusted with the powers which are vested in the Home Secretary. At the beginning of this year three serious explosions occurred in steel and iron works in Scotland—two in Glasgow and one in Gartsherrie. The inquiry in those cases was made by the Procurator Fiscal, but the results of such inquiry are always kept secret. It is traditional in Scotch investigations of this kind, made for the purpose of bringing home criminality to those guilty of culpable carelessness, that the proceedings are not divulged even to the relatives of those who are injured or killed. With regard to the Gartsherrie explosion, a similar accident had occurred at the same works two or three months before; and had a special inquiry been made into that accident the cause would probably have been discovered, and the subsequent accident, by which a number of persons were seriously injured, would, in all likelihood, have been prevented. The power residing in the Home Secretary is of great importance, because by means of public investigation, and a consequent publication of all the facts, not only would many serious accidents be prevented, but where they did occur the relatives or representatives of the persons killed or injured would be supplied with information enabling them to take proceedings for the recovery of damages. In England there is in all such cases a public inquiry before a coroner, and all the facts are open to every one interested. All I ask for is an open inquiry in Scotland, such as is held by coroners in England—an inquiry of the same kind as has been granted by the predecessor of the present Home Secretary, and which he alone at the present moment has power to grant.

(7.27.) MR. PHILIPPS (Lanark, Mid): I desire to bring under the attention of the Home Secretary a grievance whih is felt by the check weighmen and miners in the district I represent, and ask the right

hon. Gentleman to give an assurance that he will receive a deputation of the representatives of those men on the subject.

MR. MATTHEWS: I regret that the hon. Member has not given notice of his intention to bring forward the subject he has mentioned, so that I might have had the opportunity of referring to the papers relating to the question. In regard to the remarks of the hon. Member for the College Division of Glasgow, I may say it is true I have not thought it my duty to interfere in such cases as have been referred to by him, except in those which, in my opinion, expressly demand such intervention. I never hesitate, however, to hold inquiries in cases of mines, or to exercise such limited powers as I possess under the old Factories Act. I do not know whether the hon. Member has made inquiry into the old factory law, but I may inform him that there is now in a Factory Bill before the other House a special clause enabling a public inquiry to be held before the Sheriff in every case where a serious accident happens in any factory or workshop in Scotland. I have done my best to remedy the defect pointed out in the new Factory Bill, and I invite the hon. Member to look at the particular clause in order to see whether it satisfies his view. I have been looking carefully into the grievances of certain Scotch miners, whose case has been brought forward by the hon. Member for Lanarkshire. I am informed that the Scotch Department held that the action of the mineowners in question was not contrary to the Mines Act. If the particular person comes within the terms of the Act, and has violated any of the conditions laid down, of course the owners have a perfect right to dismiss him. However, I am not yet fully possessed of the facts.

(7.33.) DR. CAMERON: What I wish to impress upon the right hon. Gentleman is that this power of special public inquiry should not be altogether lost sight of, and dropped between the Scotch Office and the Home Office, for it is most necessary that such inquiries should be held. I sincerely trust, therefore, that the right hon. Gentleman will look further into the matter.

MR. PHILIPPS: If the decision of the Scotch Office is as the right hon. Gentleman has suggested, it is evident that employers will be able to evade the Act of Parliament. If they are to be enabled to do that by a side wind everybody will, I think, admit it is a dirty trick. If the right hon. Gentleman would bring in a Bill of one clause making such conduct illegal, I believe it would meet with unanimous support. I hope the right hon. Gentleman will consent to receive a deputation on this important matter. If a check weighman's position is to be an independent one, the employer ought not to be in a position to dismiss him. I again appeal to the right hon. Gentleman to receive a deputation of miners on the question, and in order to raise the point I beg to move a reduction of his salary by £500.

THE CHAIRMAN: Order, order! I would suggest to the hon. Member that it is not necessary to move a reduction.

MR. PHILIPPS: I should have preferred to take a vote, but, under the circumstances, I will not press the Amendment to a Division.

Motion made, and Question, "That Item A, of £28,587, Salaries, be reduced by £500,"—(*Mr. Philipps*)—put, and negatived.

Original Question again proposed.

(7.38.) MR. BROADHURST (Nottingham, W.): I wish to take this opportunity of drawing the attention of the House to the necessity for increasing the number of Factory and Workshop Inspectors, a necessity which I have repeatedly urged upon the right hon. Gentleman the Home Secretary. On the occasion of the Second Reading of the Factories and Workshops Bill the Home Secretary promised to give the matter his immediate attention, but afterwards, when the Report stage of the Bill was reached, he withdrew from this, and consented only to consider the question after he had had some experience of the working of the Bill. This is eminently unsatisfactory. A complete and indisputable case has for a long time past been made out for a substantial increase in the number of Factory Inspectors, and it is most undesirable that the subject should be again shelved in the manner proposed by the right hon. Gentleman. The present staff is not lacking in either industry or ability, but

is simply utterly inadequate in strength to inspect thoroughly the number of factories and workshops which ought to be inspected. It is not necessary in order to meet the difficulty to appoint a large number of additional first-class Inspectors. A plan worth consideration would be to appoint a number of younger men at smaller salaries — say, of £150 a year—who could be promoted to the higher class in due course. In this way a large increase in the number of Inspectors could be effected at a comparatively small cost. Probably, £10,000 or £15,000 would suffice to produce a substantial improvement. It is intolerable that the Department which is entrusted with the protection of the lives of hundreds of thousands of men, women, and children throughout the country should be so scandalously undermanned, and if the right hon. Gentleman will consent to bring about a change in this respect he will be heartily supported by all sections of the House. The proposal made is not a new one. It has been urged again and again for years, and it is exceedingly to be regretted that the right hon. Gentleman has recognised the need for immediate inquiry into the question early in the Session, should, at a later date, when the Factories and Workshops Bill had been placed practically out of danger, go back upon his words and postpone taking action in the matter until the Act has been in operation for some years. It is impossible to say what may happen during that time. It is even possible that the right hon. Gentleman may not, at the end of it, find himself in a position to give effect to his pledge. For my own part I have no wish to proceed to the unpleasant extremity of dividing the Committee against the salary of the right hon. Gentleman, and I trust that he will obviate this by consenting to reconsider the question during the Recess, so that he may be able next Session to make a statement regarding it which will prove satisfactory to all sections of the House. If the right hon. Gentleman should find that the Treasury put obstacles in the way, the House will help him to overcome the Treasury's resistance.

(7.47.) MR. ADDISON (Ashton-under-Lyne): I concur with the hon. Member who has just spoken as to the disappointment which will be caused in the country by the attitude of the Home Secretary upon this question, and I should have greatly regretted if advantage had not been taken of this opportunity to raise a discussion upon it. I do not propose to repeat the arguments of the hon. Member opposite, but I wish to support what he has said. The representatives of the textile industry in the district which I represent have frequently explained to me that the number of the Inspectors is very insufficient. There is little use in passing Acts for the more efficient control of factories and workshops if there are not enough Inspectors to see that the provisions of those Acts are carried out. No one complains of the manner in which the existing Inspectors perform their duties. It is not their fault if there are too few of them. The Factories and Workshops Bill which has passed through this House has considerably increased the duties of the Inspectors, and it is quite impossible for the work to be done efficiently unless we largely augment the staff. No doubt the Treasury would consent to the necessary outlay if a little pressure were brought to bear upon it.

*(7.52.) MR. LENG (Dundee): I wish to ask the Home Secretary not only to consider the propriety of making a large addition to the Inspectors' staff, but also to appoint sub-Inspectresses to guard the interests of the women and children employed in textile manufactories and in workshops, and whose lives and limbs are endangered just as much as those of the men. There is all the more need of inspection nowadays by reason of the rapid speed at which machinery is worked. I do urge the right hon. Gentleman to try this experiment, and not to condemn it without trial. A number of women engaged in the flax and jute industry waited upon me recently, and represented that they hardly ever saw an Inspector, and that when they did see one they were restrained by motives of delicacy from making statements regarding sanitary and other matters which they would not hesitate to make to persons of their own sex. There are many matters, such as those connected with sanitation, which female Inspectors might overlook, and intelligent and well qualified women could

not be better employed. I fear that in some Trades Unionist quarters this is not a very acceptable proposal, but, on the other hand, women are entitled to just as much consideration as men, and this is one of the matters in which concessions should be made to them.

*(7.56.) MR. M'LAREN (Cheshire, Crewe): I am convinced that all over the country there is a strong demand for more inspection, for it is known that it is physically impossible for the existing number of Inspectors to do the work which ought to be done. We are not asking the right hon. Gentleman to undertake an unnecessary expenditure. I do not believe that the country will grudge the money that would be required in order that the staff might be increased. Inspectors' visits are much needed in workshops where no machinery is used. There are, for example, tailors' workshops, where the conditions are most insanitary, and where no Inspector sets foot from one year's end to another. No means of dealing with the sweating system would be so effective as the means which would be provided by having a large number of Inspectors who could visit workshops at unexpected moments. I am in favour of the appointment of female Inspectors, and I should like to correct the statement of the hon. Member for Dundee that Trades Unionists are averse to it, for the Trade Union Congress has repeatedly passed resolutions in support of that proposal. At Dundee, in fact, a resolution was carried by a very large majority. I believe that the Trades Unions are too anxious for the work of inspection to be well done to object to such appointments; and bearing in mind the large number of workshops in which women only are employed, I am convinced of the desirability of having female Inspectors. I therefore join in the appeals which have been made to the right hon. Gentleman so to re-arrange the districts as to increase the number of Inspectors, and to at least try the experiment of having one female Inspector.

(8.3.) MR. PICTON (Leicester): I should like to place a few facts before the right hon. Gentleman. It seems to me that the number of accidents taking place in the factories and workshops is altogether disproportionate. At the same time, I do not suggest that that is due to any neglect on the part of Her Majesty's Inspectors. I agree with all that has been said as to the excellent way in which they discharge their duties. But the fact remains that there is not a sufficient number of them. In a Return recently granted the total number of accidents reported last year was 8,211. It must be borne in mind that these figures do not include slight accidents, for the instructions are that no accident is to be reported unless the person injured is kept away from work for 48 hours. Surely there ought not to be so many accidents as that. With regard to the appointment of female Inspectors, I know objection has been taken to their being appointed in cases where there is a large amount of machinery. No doubt it would be difficult to overcome that objection. But there are many cases in which female Inspectors might well be utilised, as, for instance, amongst the tailoresses, and in trades in which women and girls alone are employed. I believe that in Liverpool there are no fewer than 50 tailoring establishments in which women work. As to the cost of increasing the staff, that is a secondary consideration. Hon. Members are ready enough to vote money for the purpose of destroying life, and surely a little of that money might be devoted to the useful task of saving life.

(8.9.) MR. MATTHEWS: In the speeches we have had to-night on this question I think we have heard some very extreme views as to the possibilities of inspection. It seems to be suggested there should be an Inspector standing in every factory looking after every workman. I entirely agree that we have not got Inspectors enough for that; but if we are are to meet that demand, we must increase the staff of Inspectors, not by tens, but by hundreds. We never undertook to superintend factories. Of course not. That some increase of Inspectors may be necessary in consequence of the Bill which this House has passed I do not dispute, but that we should deal with the responsibility of employers would be most unwise. As to female Inspectors, there would be great difficulty in arranging anything like a district in which the time of a female Inspector would be anything like occupied. I can assure the Com-

mittee that I am the last man who desires that the Act shall not be efficiently worked, but I cannot undertake the inspectorship suggested by the Member for Leicester. Nor did my predecessor make any increase of Inspectors. The hon. Member for West Nottingham has endeavoured to extort a pledge that working men Inspectors shall be appointed, and has suggested that they might have lower salaries than the present Inspectors.

*Mr. BROADHURST: I suggested that there might be two classes of Inspectors, the new Inspectors to have a lower salary at the commencement.

Mr. MATTHEWS: I do not think the House would allow any such distinction to be drawn. I hope that some day we may get a good Employers' Liability Act. As I have said, I think it would be embarking on an unwise course to change our system of inspection into superintendence. If we do we destroy the responsibility of the owner and the manager, and that, in my opinion, would be a great misfortune.

*(8.22.) Mr. BUCHANAN: I think that the answer of the Home Secretary is far from a satisfactory one. An excellent opportunity is now afforded of making our system of factory inspection much more efficient. We know that the working classes have long advocated the appointment of working men Inpectors, and ever since I have had a seat in this House that has been pressed upon the Government. I do urge the Government, now that it has passed an excellent Factories Bill, to ensure its effectual working by strengthening the staff of Inspectors. Mr. Redgrave told the Sweating Committee that there was an insufficient staff, and such an authoritative opinion ought not to be disregarded. We have been told that the Home Secretary has increased the Inspectors by two. [An hon. Member: Three.] But what are the facts? There are 57 in the Estimates of this year. Last year there were 57. In 1885-86 the number was 56. In 1880-81 there were 55. That is the increase that has taken place in 10 years. The evidence given before the Sweating Committee showed that the inspection was insufficient, and that more inspection would check much evil, and the Report states that—

"We are all of opinion that an adequate number of Inspectors should be appointed to enforce a due observance of the law."

That is a strong expression of opinion, and we urge it on the Government in the hope that they will take the matter up and settle it. I hope also that the Government will bear in mind the recommendation of the Berlin Conference, which was that the carrying out of its proposals should be superintended by specially qualified Inspectors, nominated by the Government, and independent alike of employer and employed. That Resolution was supported by all the Powers but two—France and Sweden—and France abstained because she considered that she had an adequate staff already. Great Britain supported the Resolution, and it was carried without any dissent at the Berlin Conference. Therefore, we can appeal to the Government, in the present condition of affairs in the country, because of the credit attached to the successful working of the Bill which is about to pass into law, and also because of the pledges given to the labouring classes of this country and of Europe, to see that the administration of the Act in this country is brought to the utmost point of efficiency to be an example to labour administration in other countries of Europe. (8.30.)

(9.5.) Mr. MORTON: I desire to draw the attention of the right hon. Gentleman the Home Secretary—whom I do not at this moment see in his place—to the case of Lydia Cook, of Southend. I have taken some trouble to inquire into the case, and I find at the last moment, from a telegram which has been placed in my hands, that the costs and fines were not remitted, as the Home Secretary promised in his answer on the 26th June.

Mr. JACKSON: He did not promise.

Mr. MORTON: I will read his answer if you like. He said he proposed to call the attention of the Bench to the matter, and to recommend that they should remit and repay the costs. Well, such a recommendation as that, coming from the Home Secretary means, to a large extent, an order that these costs should be refunded. The Magistrates have not refunded them, and apparently they are breaking the law. I take it to be the duty of the Home Secretary to see that

the law is obeyed. I therefore want to call attention to the Act of Parliament alluded to by the right hon. Gentleman in his answer—Section 8 of the Summary Jurisdiction Act—which he himself said was sometimes overlooked by Magistrates. In that section it is laid down that no costs are to be imposed unless the fine exceeds 5s., or unless an express order is made by the Magistrates as to costs. In this particular case, so far as I know, there was no express order made. In fact, from the Home Secretary's statement, one sees that there could not have been such order, for he said that in the Report he had received from the Magistrates it was stated that they had made the fine low because they took into account the amount of the costs. Therefore, there was no express order such as is set out in the Act of Parliament.

THE CHAIRMAN: The hon. Member says the Magistrates have done something illegal, beyond the Statute. The matter is clearly one which should be brought before a Court of Law. It is not within the competence of the Home Secretary to deal with it.

MR. MORTON: I am going on to urge that there should be an alteration made in the law as to the payment of Magistrates clerks.

THE CHAIRMAN: Order, order!

MR. MORTON: Do I understand that there are no means of calling attention to this case except by moving the adjournment of the House, which I should be very sorry to do, particularly at this time of the Session. I wish, also, to call attention to the constitution of the Bench in this particular case.

THE CHAIRMAN: According to the hon. Member's own statement, the case has nothing to do with the administrative acts of the Home Secretary as an officer of the Crown, and is, therefore, irrelevant to the Vote before the Committee.

(9.10.) MR. J. STUART (Shoreditch, Hoxton): I must apologise for varying the subject, but the Home Secretary's functions are so varied that it is necessary that discussions dealing with his office should range over a considerable number of subjects. I wish to call attention to the action of the Home Secretary in connection with the Salvation Army at Eastbourne, a subject on which I put a question some weeks ago. The point where it touches on the Home Secretary's action and on this Vote is this: I wish to urge the Home Secretary to exercise the prerogative of mercy of which he is the dispenser, and to liberate those members of the Salvation Army who are now undergoing a sentence of some severity for taking part in processions in Eastbourne. I should not urge this just now if it were not for the peculiar circumstances of the case—the peculiar position of the town of Eastbourne, which I contend justifies my request to the Home Secretary. Under the general law of this country such processions are not illegal so long as they do not lead to disturbances; but Eastbourne, Hastings (and, in 1888, Torquay) have clauses in their private Acts which impose a penalty on persons taking part in those proceedings on Sundays. So far as I know, no question has arisen in respect of Hastings; but in 1888 the matte came before the House in connection with Torquay, and an attempt was made to bring in a Bill to repeal the clause in the private Act, which clause constituted an offence in that town, acts which were not an offence elsewhere. The Home Secretary at that time gave the view of the Home Office on the matter, and it is because of the exceptional character of the view expressed by the Home Office that I urge the right hon. Gentleman to exercise the prerogative of mercy in this matter, and that I complain that he has not hitherto done so. In 1888 the right hon. Gentleman the Member for Wolverhampton and myself, and one or two others, were unable to proceed by way of a Bill for the rectification—from our point of view—of the position of the law. To have brought in a Bill for repealing a certain clause in the Torquay Harbour Act, as we endeavoured to do, we found it would be necessary to give all the notices required in the case of a Private Bill, which was practically impossible. The same thing happened this year with regard to Eastbourne. Hence it is that I now make this appeal to the Home Secretary. The fact that we were not able to proceed with our proposals is itself one of the strongest arguments against the introduction of this particular clause in a Private Act of Parliament, because, practically, the House—or private Members of the

House—are prevented from dealing with the Act as they would with a general Act. That, I believe, itself is one of the arguments which the Home Office, so far as I can gather, were cognisant of and felt when they took the steps I will presently refer to. But before I come to the action of the Home Office, I would just conclude the matter of the Torquay Harbour Act, because it is a point in the case. We were very lucky that year, because, fortunately, the Local Authority of Torquay had to come to Parliament for a Private Bill, and that gave the opportunity for making terms with them and securing the withdrawal of the clause, the repeal of which was assented to unanimously by the House, while it must have been a satisfaction to the Home Office, which was so far relieved of a difficulty. This was in 1886; but in 1885 Acts were passed for Eastbourne and Hastings which contained the same clause as the Torquay Act. The Eastbourne Act is a voluminous one—one containing 200 clauses. It refers to borrowing powers, to Stocks, and to a large number of improvements connected with the town. It contains, also, a little group of one or two clauses, of which this clause to which I am now directing special attention is one, and which says that no procession shall take place on a Sunday in any street or public place in the borough accompanied by any instrumental music, fireworks, or the discharge of cannon, firearms, or other disturbing noise. In the Eastbourne case the clause as proposed referred to every day of the week, but it was restricted to Sunday by the Committee on the Bill. Those who promoted the Bill at that time obviously had in view considerably wider powers than those which the Bill as ultimately passed conferred. I ought to say that the Committee to which these Bills were referred was a Committee first created, I believe, at the instance of the late Member for Stockport—Mr. Charles Hopwood, Recorder of Liverpool, who was extremely strong for individual liberty, and who was very jealous of clauses introduced in connection with police matters in Private Bills. In this way we secured from the Government of the day that there should be such a Committee, so that there should be a special Report on any clause in the Bill which altered the Common Law of the country. But the Committee in the present case seems to have been rather the offender than the defender, and to have sinned against the advice and, indeed, the warning—if I may so say—of the Home Office—and this strengthens the argument I am putting with regard to the Home Office. We brought forward this matter in 1888, and the Home Secretary frankly placed before us the fact that the Home Office over which he presided had brought before the Committee their objection to such a clause, because they felt that such a law ought to be a general law, or ought not to be adopted at all. That is a view with which I entirely coincide. The Committee did not accept that view. They acted differently from the way that I am sure Mr. Hopwood would have desired them to act. They introduced new police legislation in a Private Bill, contrary to the view of the Home Office.

(9.21.) THE CHAIRMAN: I think I am now possessed of the hon. Member's argument. He apparently urges that it is the duty of the Home Secretary to recommend the exercise of the clemency of the Crown in the case of all offenders under this special clause of the Act, because this clause is the same as one which was repealed by Parliament.

MR. J. STUART: That is scarcely my argument, Sir. My argument is that the Home Secretary ought to exercise clemency under the circumstances of the case, but I say that the fact that it is an extraordinary Act of Parliament greatly enhances the force of the argument.

THE CHAIRMAN: The hon. Member must deal with something that is specially connected with the case. Otherwise we shall have a most formidable extension of the power of discussion in Committee.

MR. J. STUART: Well, Sir, I shall not pursue that line of argument. I will refer to the special circumstances in the case that call for the exercise of clemency in connection with the persons put in prison in Eastbourne. A number of processions took place in the street, and the processionists were attacked by a number of roughs at different times. The Magistrates inflicted sentences of a month's imprisonment—which I submit is very severe—and alternatively a fine of £5. The roughs who attacked them were, on the other hand, let off

with a warning, and told not to do it again. I submit that, under the circumstances, the members of the Salvation Army have been very inequitably treated, and the more so because the proceedings were taken under an exceptional local Act. It is evidently the intention of the authorities to stop processions of the Salvation Army, whose members are laid open to the attacks of roughs, and are not protected from them as they ought to be, and as they would be in any town except the two towns which have got this clause in local Acts. Considering that the Salvation Army is not a body to be condemned generally, that its members do a great deal of good in their own way among the neglected classes, and that the clause in the local Act has been applied, I believe, only to the Salvation Army, I think a very fair case has been made out for asking the Home Secretary to mitigate the severe sentences which have been passed upon a number of law-abiding citizens, and to put a stop to a state of things in Eastbourne which is far from creditable.

THE CHAIRMAN: The speech of the hon. Gentleman has no application to the Vote. The speech of the hon. Member is a condemnation of the clause in the local Act, but the policy of that clause does not constitute a ground for appealing to the Home Secretary for the exercise of clemency.

*(9.30.) MR. S. SMITH: I wish to ask the attention of the Committee to what I consider to be violations of the intention of the Vivisection Act, and in connection with the subject I propose to move a reduction of the Vote. It is very desirable that this House should from time to time review the whole question of vivisection, and the working of the Act should be kept jealously under the control of the House, the subject should be carefully watched, for the practice of vivisection has a tendency to develop into the greatest cruelty to animals. I am sure I am giving expression to a strong feeling in the country that the practice, if tolerated at all, should be subject to the most rigid supervision. There can be no doubt that of recent years vivisection has been spreading rapidly in this country, and that a great portion of it is unauthorised, and takes place without the inspection required by the Act. The Act has been largely evaded, and will be evaded still more if Parliament does not keep a vigilant watch over these experiments. I wish to call particular attention to a class of experiments upon living animals that have been conducted by a Dr. Klein, who holds some official appointment under the Local Government Board. I ask the Committee for a moment or two to listen to some of the statements made by Dr. Klein and published in the 19th Annual Report of the Local Government Board. It seems that Dr. Klein has been experimenting upon the eyes of cats by injecting diphtheric and cancerous elements, producing in the eyes of these unfortunate animals the most horrible diseases, and I will make one or two quotations from the Report he makes to the Department of what he has done presumably with the sanction of the Local Government Board. In his further Report on the Etiology of Diphtheria Dr. Klein says—

"During the year just passed a number of additional experiments on the cat's cornea and conjunctiva have been instituted with cultivations of this diphtheria bacillus. I subjoin a few instances of successful inoculation of cats."

I give the results in the words of the Report, and the Committee will judge whether the most horrible treatment was not inflicted on these unfortunate animals. Here is one case—

"The cornea and conjunctiva (previously scraped) of two cats were inoculated. In both these animals the disease set in with great intensity. On the 14th day both eyes of this cat were closed, copious muco-purulent matter had collected. This animal was killed on the 17th day: the disease still progressing."

For 17 days the animal was subjected to this horrible treatment.

"The ulcer on the cornea reached down to the descemet membrane."

A diagram accompanies the Report. Here is another case—

"From an Agar sub-culture the corneæ of two other cats were inoculated. One of these cats was killed on the 15th day. One cornea was opaque, the other showed a deep crater-like ulcer, with raised opaque margin; conjunctiva much congested, swollen, and coated with purulent matter. The other cat had considerable suppuration from the conjunctiva of both eyes."

The Report goes on with accounts of a great many similar experiments. It

seems that 12 cats were experimented upon, though the Home Secretary, in the answer he gave to a question to-day, said there had been only one case, the answer evading on some technical or physiological ground the plain inference, as it seems to me, to be drawn from these statements. Then another series of experiments on cats were carried out by inoculating them with diseased matter in the groin. Two of the animals were found dead at the end of five days, two others after 10 days, and the last two after 11 days. Then comes a description of the intestines of the animals, so horrible that I will not inflict it upon the Committee, but it requires little scientific knowledge to know that the animals must have endured intolerable agonies while these experiments were being carried on. These are experiments carried out by Dr. Klein, who holds, I believe, some position under Government. He is Professor of the Brown Institute. He has held licences for vivisection and certificates for dispensing with the use of anæsthetics since 1884. In 1889 he conducted 96 experiments without anæsthetics. In 1887 he returned 46 pathological experiments——

MR. MATTHEWS: May I ask what the hon. Gentleman is quoting from?

*MR. S. SMITH: From a paper which I shall be happy to put into the hands of the right hon. Gentleman.

MR. MATTHEWS: The statements the hon. Member is making are almost all inaccurate, and I ask upon whose authority he is making them?

*MR. S. SMITH: The statements are published under the authority of the Victoria Street Society. ["Oh!"] This is a Society which I think is not deserving of contempt. It is a valuable Society, which has done a vast deal of good. Of course, if the statements are incorrect, I shall be happy to have them corrected. Dr. Klein, as I have said, is superintendent of the Brown Animal Sanatory Institute, founded by a gentleman who laid down as a condition in his will—

"Kindness to animals committed to the Professor's charge shall be a general principle of the institution."

Now, I ask the Committee whether experiments such as I have been describing illustrate the kindness which was to be the characteristic of the Brown Institute? This Dr. Klein made several very remarkable statements before the Royal Commission. Among other things he stated that he "had no regard at all to the sufferings of the animals." Again and again he stated he disregarded entirely the sufferings of the animals. Then again he said, "A man who conducts an experiment has no time to think what the animal will feel or suffer." I commend these quotations to the attention of the Home Secretary, who asks me for my authority for what I quote, and I ask him are these proper qualifications for a public servant entrusted with this extremely delicate duty?

MR. MATTHEWS: He is not a Government official.

*MR. S. SMITH: He makes his Report to the Local Government Board, and, at all events, he is under the supervision of this House in relation to the operation of a law of the land. He has publicly stated that he is a man who does not care what an animal may feel or suffer. I say you cannot expect anything but cruelty from a man who expresses such a view. I have quoted from one paper; I might have quoted from many more to give specimens of the atrocities committed under the name of vivisection; and I say unless the House is very zealous in watching the administration of this Act, it will be discovered, when too late, that the practice of vivisection has spread all over the country to the hardening of heart and petrifying of all feelings of tenderness, as it has done in many countries on the Continent. The Committee, perhaps, is not aware that in some continental countries it is not unknown to boil live animals to death and roast them to death, and to watch their sufferings, taking notes for what is called a scientific purpose. The fact is, when men abandon themselves to a mania for experiments on live animals there is no degree of cruelty to which, under the name of science, they may not ultimately be led. Nothing hardens the natural feelings more than the continual infliction of cruelty upon helpless animals. As an illustration, I may mention what occurred last week in Berlin, where it has been discovered that the practice of vivisection has been carried to such an extent that living human beings have been vivisected. It has been acknowledged

that in the hospitals doctors have actually gone so far as to inject cancerous matter into patients to observe the effect. I say if we allow the practice to proceed unchecked we may have that done in hospitals here. If we allow the system at all we must keep a tight rein upon it. I should like to see it entirely abolished, but I suppose that is more than we can expect in these days. If there must be such experiments let them be conducted upon animals with a low order of vitality—upon frogs or living things of less sentient nature than domestic animals capable of most acute sufferings. It is demoralising to subject the dog, the friend of man, to such cruel, horrible treatment. I am the more impelled to mention this because on all sides there are arising schools of medicine where vivisection is practised under various names. "Institute of Preventive Medicine" is one name used. They adopt deceptive names to hide the real object from the public. Where you find such ambiguous names you may suspect there is something wrong. The specious titles adopted by such bodies throughout the country convey the impression that they are ashamed to state their direct object. Only by investigation and probing do you find that "Pasteur Institute" and "School of Preventive Medicine" are names that hide these cruel practices. I know what the feeling of the country is, and I appeal to the Committee to give an expression of opinion to-night which will have a restraining effect upon the strong bias which has set in in favour of vivisection all over the country.

*(9.45.) MR. MCLAREN: I desire to support the appeal which my hon. Friend has made. There can be no doubt that during the right hon. Gentleman's tenure of office these experiments and licences have increased in number. It is useless to protest against the practice of vivisection altogether; but I believe that under the present operation of the Act there are a number of cases in which experiments are performed, not for the purpose of making new discoveries, but for the purpose of demonstrating over and over again discoveries already made. That is the sort of vivisection which the right hon. Gentleman ought to discourage. I will not attempt to dispute that scientific discoveries have been made by means of vivisection; but when the scientific fact is once established, it is not surely necessary to continue painful experiments. There are a large number of vivisectors in medical schools who perform experiments over and over again simply with the object of demonstrating to students medical truths which are perfectly well known, and ought to be taken for granted on the evidence supplied in previous years. As to experiments for making fresh discoveries, really conducted for purposes of scientific research, I presume we cannot prevent them, but they should be stringently limited, and carried out with the utmost regard to suffering, the animals being under anæsthetics. With regard to Dr. Klein's experiments on cats' eyes it has been stated by the Home Secretary that they were not performed in this country, but I cannot help thinking that the right hon. Gentleman has been misinformed on this point. The Report on the subject was made to the English Government, and there is nothing in that Report to show that the experiments were made out of England. The Report gives the results in great detail, and there may have been reasons for performing them, but surely now they may cease. My hon. Friend has read some extracts, which the Home Secretary said were inaccurate, but many of the statements published by the Victoria Street Society were copied from Dr. Klein's Report, and there my hon. Friend is not open to a charge of inaccuracy. But the point I wish to press is that the Inspector allowed these experiments to be carried on to the extent described in this Report to the Government Department. As I have said, there is no trace in the Report of the experiments having been made out of England. The right hon. Gentleman says they were made abroad. I cannot help thinking the Inspector has been misinformed, or there has been some misunderstanding by which the Home Secretary has not been put in full possession of the facts. The answer of the Home Secretary to my hon. Friend the Member for Flint on June 15 was very different from the answer given to-day. The right hon. Gentleman then said—

"I am informed by the Inspector that he only knows of one case in which the operation

of inoculation in the eye has been practised in this country. In that case he reports that the charge in the eye was microscopic, and that the animal appeared quite free from pain."

But to-day the Home Secretary has given us a different version, for he said in answer to my question that the Inspector informed him that he had "seen" only one case of inoculation of the interior chamber of the eye. Now, that is a very different thing to knowing of only one. I was struck by the phrase had *seen* only one case. I do not think that the Inspector is bound to be present at the experiments, but I cannot help thinking, though I do not wish to put an unfair construction upon the words used, that the answer of the right hon. Gentleman was rather misleading. It should be observed, too, that throughout his Report Dr. Klein again and again refers to these cases as "inoculation." In the face of all that is contained in the Report, the Inspector tells the Home Secretary that he only knows of one case; and, again, that he has only *seen* one case, entirely ignoring all those other experiments. I shall be glad, for the credit of English administration, if these experiments were performed out of England. I hope they will be prevented here. The Home Secretary may revoke any licence issued if it is abused, and I think there is ground for such revocation in this instance. I do trust the right hon. Gentleman will impress upon the Inspectors the greatest diligence in preventing abuses under the Act, and that we shall have the number of licences reduced.

*(9.58.) DR. FARQUHARSON (Aberdeenshire, W.): I have the highest respect for the motives of the hon. Members who have brought this question of vivisection before the House, but I must protest against the morbid suspicion with which they view all the proceedings of scientific men. The charges brought against men of the highest scientific position give a great deal more pain to them than is given to the animals experimented upon in a way which is required for the sake of science and for the sake of the advance of medicine and the diminution of suffering both to man and to the lower animals. It is a good thing that the House should, from time to time, review this question, and see whether the provisions of the Act are properly carried out, as an opportunity is thus given to dispel many illusions and to explain away many difficulties which are stumbling blocks in the way of hon. Members who cannot thoroughly study the subject. The hon. Member for Flintshire asserts that the practice of vivisection is spreading throughout the country. There is little evidence of that, but whether that is so or not, there is no evidence for his further statement that there is a great deal of unauthorised vivisection going on in total contravention of the law of the land. Reference has been made to the practice of students making experiments on animals, but it should be remembered that such experiments cannot be carried out without elaborate apparatus and proper accommodation. Experiments on living animals are only made for the purpose of testing some new point in science, and of making some research, the result of which is made public afterwards. It has been urged also that the Home Secretary ought to exercise greater stringency in granting licences. The objection I have to offer is rather that the stringency is felt to be so great as to hamper the progress of scientific research, and to prevent this country from keeping pace in science with other countries. I think that it is unnecessary in these days to be called upon to defend the success and utility of experiments on animals. Some of the experiments which have been denounced in Parliament in bygone days as being cruel and without a scientific object have been proved to be of the utmost value—as, for instance, the experiments of Ferrier's on the brains of monkeys. Those and kindred other experiments have been of the greatest service to surgery in this country; they have saved many lives, and have alleviated a great deal of terrible suffering. It is too late to defend scientific experiments. All we hove to consider is whether the law is properly carried out under the present system of administration. Though undoubtedly some suffering must necessarily be caused to the animals in making experiments of this kind, still I maintain that the ultimate results are of such a nature and of such high value as to override all considerations on that head.

They have been productive of great good, not only for the practical purposes of medicine, but towards preventing disease in the future. Reference has been made to the Institute of Preventive Medicine. I should like to point out that that Institute is a private enterprise in which the operations of Pasteur are to be carried out in this country. There is no reason why such an Institution should not exist here, so that life may be saved and suffering alleviated by obviating the necessity of losing time and money in a journey to Paris. If such an Institution is really established vivisection experiments can only be carried on by licence. I trust that the Home Secretary will stand firm and enable scientific pursuits to be carried out, even under the extremely restrictive conditions under which they can be carried out in this country.

MR. MATTHEWS: I need say very few words in answer to what has been advanced by hon. Gentlemen on this subject. I do not know why the hon. Member for Crewe (Mr. McLaren) has taken it upon himself to contradict the statement of fact I made earlier this evening. At question time I stated that—

> "The Inspector reported to me that he had himself seen only one case of what is technically called 'inoculation of the interior chamber of the eye' since he had been Inspector. This operation is quite distinct from the application of injective material to the surface of the eye, which was the procedure in Dr. Klein's experiments. Moreover, those experiments were made before Dr. Poore was appointed Inspector, and were performed not in this country, but in Hungary."

I do not know what authority the hon. Member has for contradicting that statement.

*MR. MCLAREN: I said the whole framework of the Report gave one a very strong impression that the experiment had been carried out in this country.

MR. MATTHEWS: That is now distinct information: the Inspector informs me that Dr. Klein's experiments were performed at his own home in South Hungary. I have no reason to doubt the information. I gather that Dr. Klein does not hold the necessary certificate for experimenting on cats in this country. He holds certificate "A," which enables him to make inoculation experiments on rabbits, guinea pigs, and animals of that class. There is, therefore, nothing to answer. I would rather not discuss Dr. Klein's experiments. I am informed that the experiments are of great value for the purpose of preventive medicine and in alleviating the torture of children suffering from diphtheria. They are also useful in showing that children ought to be guarded against contact with domestic animals, because contagion might be communicated. My function is not to follow my own sympathies in this matter, but to administer this Vivisection Act strictly and fairly. I have given no licences for experiments in private houses. I have only given licences and certificates for vivisection experiments in some public institution where a scientific audience can surround the experimenter and see what is being done.

(10.15.) MR. MORTON: I should like to ask the right hon. Gentleman what is the meaning of the item on page 90, sub-head (a), "Allowances to Purveyor of Luncheons, £25." I have also to ask for information as to an omission in the accounts. On page 88 there is a note as to fees received under various heads. They amount to £2,575; but I do not find any account of the fees which are said to be received on the making of Bishops, and, I presume also, Archbishops. I want to know for what these fees are paid, and what becomes of them. In a letter which has been written on this subject I find it stated that after his installation a Bishop preached a sermon from the text that "a certain man went down from Jerusalem to Jericho and fell amongst thieves." That text has not much to do with this particular matter except that I do not find any account of these fees on page 88. Perhaps the Home Secretary will give us some information in regard to these fees.

MR. STUART WORTLEY: The fees appear in the total but not in detail. If the hon. Gentleman wishes for information about any particular item I shall be most happy to give it.

MR. MORTON: Where are these fees to be found?

MR. STUART WORTLEY: They are duly accounted for and go into the Exchequer for the benefit of the general taxpayer. As to the item for the Purveyor of Luncheons, the gentlemen who serve the State in the Home Department like those in other Departments have to live, and arrangement has to be made for them to be supplied with food inside the office.

MR. MORTON: In many mercantile houses food is prepared for the officers, but I have always understood that the cost has been defrayed out of the profit on the provisions. As to the fees, it is all very well to say they are included in a general statement, but——

MR. STUART WORTLEY: I beg the hon. Member's pardon; this is the first year they do not appear in this Vote.

MR. MORTON: Then I shall find them under another Vote. I will have a turn at that, Sir.

Question put, and agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £46,015, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1892, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for Foreign Affairs."

(10.22.) SIR G. CAMPBELL: I desire to move a nominal reduction of the salary of the Secretary for Foreign Affairs by £100. I have before stated my admiration of the way in which foreign affairs have been conducted by the present Foreign Secretary, but there is one matter with regard to which I think a cloud has arisen, namely, the situation in the Mediterranean, and the understanding we are told Her Majesty's Government have come to with Italy, and the bearing of the Triple Alliance upon our position in the Mediterranean. The declaration as to the understanding is in somewhat vague terms. The Under Secretary for Foreign Affairs has admitted that there is an understanding in some terms, the object being to maintain the present *status quo* in the Mediterranean. I hope nothing has been done to bind this country, but it is somewhat unfortunate that there is any understanding which implies more or less that Her Majesty's Ministers express some intention of maintaining the *status quo* in the Mediterranean in concert with the Triple Alliance. It has been asserted in some quarters that this amounts to a quadruple alliance. I hope it does not mean anything of the kind. I think there could be no greater misfortune than that we should do anything which touches the sensitive feelings of the French, who are our nearest neighbours, and with whom we come in contact in almost every part of the world. I hope we may have some reassuring statement that the state of things is not one which will give just cause of grievance to France. I think an understanding confined to the Mediterranean only is altogether disadvantageous to this country. It is an understanding with regard to the other Powers of "heads I win, tails you lose." We shall have to give Italy in case of need the assistance of our fleet without any corresponding requirement on their part to give us assistance on land in the event of our possessions being threatened or attacked. We have seen in the French newspapers that the maintenance of the *status quo* in the Mediterranean means the permanent possession of Egypt by this country. It does seem to me to imply a long continuance of our occupation of Egypt, an occupation which I consider a source of weakness to this country. I dislike to learn that there have been vague understandings which in any degree pledge Her Majesty's Government to interfere in behalf of the Triple Alliance, and in the hope that we may have some reassuring words from the representative of the Foreign Office I beg to move the reduction of the Vote.

Motion made, and Question proposed, "That Item A, of £47,460, Salaries, be reduced by £100, part of the Salary of the Secretary of State."—(*Sir George Campbell.*)

(10.30.) MR. LABOUCHERE: I have very often addressed the House on the subject of Egypt, and therefore I do not

propose to say anything on the subject this evening. It seems to me the most important matter at the present time is this understanding, whatever it may be, with Italy. What has led to it? As the Committee know, in 1870, after the Franco-German War, Alsace and Lorraine were taken from France by Germany against the desire of Prince Bismarck, who was entirely overruled by the military party. Prince Bismarck knew that his country, situated in the middle of Europe, was without any real frontiers, with Russia, Austria, and France adjacent, and that if there were a coalition of either of the other two Powers with France against Germany the result to Germany would not be satisfactory. He therefore sought for allies. The first alliance was the alliance of the three Emperors, those of Austria, Russia, and Germany. That alliance very soon broke down. Jealousies occurred between those potentates, and the alliance came to an end. It was succeeded in 1879 by what may be termed the alliance of the Emperors of Austria and Germany, and this alliance was entered into against their former ally, Russia, and the French Republic. If Russia or France attacked either Germany or Austria it became a *casus belli* with the Power not directly attacked. It was a defensive alliance. When this alliance was announced Lord Salisbury showed his animus. He said he had to announce to his countrymen "good tidings of great joy." Even accepting Lord Salisbury's view of the desirability of this alliance, in my opinion it was a very great mistake to suppose that this alliance could be of advantage to the British Empire, because it kept Russia from interfering in Europe, and she was thrown back upon Asia. In 1883 Italy joined the two allies, Austria and Germany. I believe there were separate alliances between Italy and each of those other Powers. This was a defensive alliance in which Italy joined against France and Russia. In 1887 these separate alliances were merged in the Triple Alliance. M. Depretis was then Premier of Italy, but was shortly afterwards succeeded by M. Crispi, who took up his policy. When it was proposed to Italy to join in this Triple Alliance she hesitated, and Lord Salisbury—whether urged by Prince Bismarck or not I do not know—came forward and explained to Italy that she might do this without any great risk to her coasts or Fleet from the Fleet of France, because of certain assurances he gave to Italy at that time. What those assurances were we are not told. I called attention to the matter in 1888, and got a reply stating rather what Lord Salisbury had not done than what he had done. In fact, the right hon. Gentleman the Under Secretary showed himself an excellent diplomatist of the old school. I have on many occasions asked questions of the right hon. Gentleman with regard to the assurances that were given by Lord Salisbury, and I never acquired very much knowledge from the answers given me by the right hon. Gentleman. About ten days ago the right hon. Gentleman, in reply to a question, spoke of something as an existing understanding with Italy. I asked the right hon. Gentleman next day what the existing understaning was, and I was told that it was with the common object of maintaining the *status quo* in the Mediterranean, a principle which Her Majesty's Government in Parliament had frankly avowed. I asked whether I was to understand that France had been informed of what this understanding was. In reply, the right hon. Gentleman told me that I was not to understand that France had been informed, which practically meant that France had not been.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I said the hon. Member was not to understand more than I said.

MR. LABOUCHERE: Quite so; but the right hon. Gentleman is not prepared to say positively that France was not informed. The answer he gave was a diplomatic answer, and I do no suppose the right hon. Gentleman will now get up and say that France has been in-

formed. Now, it appears to me that Italy has misunderstood what the understanding is. Italy is under the delusion that there is an understanding between her and this country. In point of fact, there can only have been an expression of opinion on the part of Lord Salisbury as to what he and his Party would do if he were in power under certain contingencies. We have it in evidence what Italy considers the understanding to be. M. Crispi lately published in an English review an article upon our relations with Italy, and he took it for granted that if Italy found herself at war with France, owing to having joined the Triple Alliance, the English fleet would ally itself with the Italian fleet to defend the Italian coasts. But another statement was made in reference to this matter on the 14th of May in the Italian Parliament by Signor Chiara, a deputy of some importance on the Conservative side, and a supporter of the present Italian Ministry—a statement made in a Debate on the renewal of the Triple Alliance, and in no way contradicted by the Italian Ministers in whose presence it was made. The speech was made with the object of inducing Radicals to consent to the renewal of the Triple Alliance. The deputy spoke of the negotiations entered into between England and Italy for the maintenance of Italian interests, which are recognised as identical with British interests, and said that never had any Government attempted to obtain what Count Robilant had obtained; that the position of Italy was now secure on land and sea; and that so long as Italy and England remained allied with the Central Powers of Europe it would be too risky an enterprise for France to attempt reconquest, even if that Power could count on Russia. When I asked the Under Secretary for Foreign Affairs whether he could throw any light on those statements, the right hon. Gentleman did not deny them. He again made a diplomatic answer. He explained that we were not bound to go to war for Italy, and said that our hands were free, but he did not state whether Lord Salisbury had made such statements as to justify what was said in the Italian Parliament—that the position of Italy was now secure by land and sea. Unless the House realises what the Triple Alliance is it cannot appreciate the full meaning of the understanding referred to. Italy, as I have said, has joined the alliance, which is a defensive alliance against France and Russia. Consequently, if France were to seek to reconquer Alsace and Lorraine, Italy would be forced to send an army to the frontier and declare war against that Power. The attempt at reconquest would become a *casus belli* and Italy would be at war with France. If France were then to attack Italy, presuming the statements made in the Italian Chamber to be correct, that our object is to maintain the *status quo* in the Mediterranean, and that Lord Salisbury has entered into any engagements, we should be forced to defend the Italian coast, and to prevent any evil consequences in the cession of territory if France got the upper hand. It amounts to this, then—that if France were to seek to regain the provinces lost by her in 1870, it would practically be a *casus belli* against her not only for the Triple Alliance, but for us, unless France were to consent to the absurdity that the Italian Army might attack her, and she might not attack the coast of Italy with her fleet. France is a great naval Power, far stronger on the sea than Italy, and naturally and rightly she would in such circumstances make use of her fleet. Lord Salisbury's notion seems to be that just as these three allies are making themselves a police force to maintain the Continental peace, so we with our Navy should make ourselves a sort of police force to maintain the *status quo* in the Mediterranean. It might, of course, be to our interest that an English Minister should express a wish to maintain the *status quo*, but it is a very different thing to say that under all contingencies we ought to make war in order to do so. Still more is it a different matter for a Minister to give assurances as to the action of the British Government to one particular State in the Mediterranean in order to induce that particular State to join in an alliance against another State in the Medi-

terranean. I contend that this action on the part of Lord Salisbury is absolutely improper. Of course, we all know perfectly well that Lord Salisbury cannot bind this country. But it must be remembered that Lord Salisbury cannot separate his position as Foreign Minister from his position as the head of a Party, and thus, speaking as Foreign Minister, he also speaks as head of a Party, and simply says what he would do under certain circumstances. Italy is under the delusion, as I have said, that Lord Salisbury has pledged the country to a particular line of action, when, of course, he has no power to do so. I say that the action of Lord Salisbury was not only improper, but was unwise. A real statesman never anticipates action under possible future contingencies; he waits for the contingencies to occur. Lord Salisbury hardly denies that he has acted throughout this matter, I will not say in collusion, but in accord with the three great Powers, and he almost justifies their alliance against France. The right hon. Gentleman the Under Secretary has often said that this is an alliance of peace. I never knew an alliance that was not so called. But peace has never been maintained in Europe by secret alliances, still less by two or three Governments entering into secret understandings against other Great Powers. Such alliances are naturally met by counter-alliances on the part of the countries which are threatened; thus great distrust is caused, and large standing armies are maintained, and inevitably these alliances and counter-alliances end in war. For my own part, I have always been a strong advocate of non-intervention; our insular position justifies that policy, and is an incontestable reason why we should not meddle with the Continental Powers. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) was in favour of this policy, and I should like to contrast the right hon. Gentleman's mode of treating Continental affairs with that of Lord Salisbury. The right hon. Member for Mid Lothian has always held that we ought to promote, as far as we can, European concert—that we should go into Congresses, but merely in order to put the general welfare of Europe under the ægis of the public opinion of Europe, and the right hon. Gentleman knows perfectly well that secret alliances between State and State make such concert impossible. But Lord Salisbury did precisely the reverse. He loves secret alliances. He goes in a surreptitious manner to one of the Great Powers; he begs that Power to enter into some secret understanding with himself, and what is the result? These understandings with one Power in Europe lead to misunderstandings with other Powers, and when trouble arises we find ourselves absolutely crippled in any effort to bring back Europe to a state of peace. We have prejudiced our position beforehand, and to speak of that as a statesmanlike act is a profound mistake; it is entirely contrary to what an English statesman ought to do. Take the case of France. We were for a long time the enemies of France, and ever since Waterloo the people of that country regarded us as their natural enemies. We can hardly wonder at this, because we spent a huge number of millions and the blood of many thousands of English soldiers in trying to impose upon France a particular dynasty. Having done all this, we had the pleasure of putting that mighty Monarch Louis XVIII. in the place of Napoleon. All this naturally produced a feeling of soreness which, however, has at length worn off. Having been natural enemies we afterwards became natural friends and allies, and a feeling sprang up which made these two nations—France and England—more anxious than other nations to maintain cordial relations with each other. This feeling, no doubt, was strengthened by the facilities afforded for intercourse by our railways and steamboats, and by the commercial relations which sprang up between the two countries. Our action in Egypt undoubtedly produced a considerable sense of soreness in France, and this being so, it was essential for an English Prime Minister to do nothing to increase that soreness. Lord Salisbury, however, thought differently. When the French Exhibition was opened it was met by the English Administration with a sort of Royal boycott; and when the alliance took place between Austria and Germany, Lord Salisbury came forward and told us he had to announce good tidings of great joy, as an alliance

had been formed against Russia and France. When it was proposed to introduce Italy into that alliance he came forward again and actually arrived at an understanding with Italy in order to induce it to join the Triple Alliance against Russia and France. No doubt the Under Secretary will tell the Committee we are on the best terms with France. I have no doubt that technically and officially we are on perfectly good terms with France, but does anybody suppose for an instant that the French people can really feel very cordially towards us when we interfere in this way with Continental Powers with the view of promoting and aiding an alliance to prevent France getting back her provinces? God forbid that I should in any way encourage France to go to war for the provinces of Alsace and Lorraine! but if France were to do so I think it would be a legitimate war on the part of France, and I most decidedly feel that if such a war were unfortunately to occur our sympathies would be entirely on the side of France, and would not be on the side of the Triple Alliance. I feel no antipathy to Germany or Italy, but neither have I any towards France or Russia. If the huge armaments which exist on the Continent are to lead to a conflagration, as I greatly fear they will, my idea is that the first business of a British Minister will be to keep out of the quarrel as far as he possibly can. My hon. Friend behind me complimented Lord Salisbury as a Foreign Minister; for my part I never complimented Lord Salisbury, and never mean to. Lord Salisbury has to be carefully watched. Hon. Gentlemen will remember what occurred at and after the Congress of Berlin. When Lord Salisbury was charged with the Cyprus Treaty he said that the Treaty did not exist, although it was proved it did exist, and under these circumstances we must look with a little grain of *salis* to the statements of Lord Salisbury. And when Lord Salisbury talks about some understanding the Committee have a right to learn what the understanding really means. I presume that Austria, Germany, and Italy know of this understanding; why are we not to know of it? Either Lord Salisbury thoroughly distrusts his English fellow-countrymen; or he fears that if what he has done were made public it would injure him and his Party; or he fears that France may disapprove of his action with regard to Italy. We are, or we ought to be, on as good terms with France as with Italy. These understandings with one country lead to misunderstandings with other countries. But an understanding on the part of Lord Salisbury has no binding effect on this country. Lord Salisbury ought to communicate everything of this kind; he has not chosen to do so; and in one sense that is fortunate. The understanding was come to five years ago; we have gone on five years under it. Again and again Lord Salisbury has been asked to state what it is; but he has refused to do so; and officially the House of Commons knows nothing of it. I make these remarks not so much because I expect to get to know what the understanding was, but because it was desirable to accentuate the fact that the country is in no sort of way bound by it. If there is an understanding with Italy, it is one not between Italy and England, but between Lord Salisbury and Italy. It is desirable that France and Italy should realise this; and also that it should be known to the electors of this country what the difference is between the foreign policies of Lord Salisbury and the right hon. Member for Mid Lothian. If the latter comes back to power he will do his best, as before, to promote peace in Europe. ["Oh!" *and Ministerial cheers.*] Yes; hon. Gentlemen opposite have said that the right hon. Gentleman has disgraced this country by loving peace too much. He has promoted peace by maintaining the European Concert, and not by entering into secret understandings with one country against another, which he is ashamed to submit to this House. It must be remembered that, if Lord Salisbury is kept in power, he is pledged in certain circumstances to drag us into a Continental war against France. ["Oh!"] Can hon. Gentlemen who cry "Oh!" get their Ministers to state what the understanding is? The Government, on coming into power, said the Navy was deficient, and they obtained Votes to augment it. This was not done for defensive purposes, but it was done to enable us to act as the police of the

Mediterranean, and to put us in a position to join with military Powers. We cannot produce an Army, and so we produce a Navy on which we spend millions and millions; and if the electors ponder over this the country will rally to the old Liberal flag and to the policy of "peace, retrenchment, and reform."

(11.25.) SIR J. FERGUSSON: It is evident that the speech of the hon. Member is addressed to a wider audience than the House of Commons, but I venture to think that that wider audience will endorse the policy of the Government when they appreciate the grounds on which it is rested. If the results of Lord Salisbury's policy so far are to be measured by its popularity and its acceptance with the country, I believe the Government cannot wish to go to the country on a better issue. As the hon. Gentleman desires that the policy of Lord Salisbury should be contrasted with that of the right hon. Member for Mid Lothian, I would remind the hon. Member that, in 1888, after he had offered an explanation to the House, the right hon. Gentleman expressed his satisfaction with that explanation, and the Debate thereupon came to an end. The right hon. Gentleman said—

"I will say, however, that, without binding myself for the future or going beyond the subject immediately before us, it is a matter of lively satisfaction to find that the course taken by Lord Salisbury on more than one occasion has been entirely in accord with sound principle and with what I believe ought to be the foreign policy of this country."

MR. LABOUCHERE: Perhaps the Under Secretary will read the whole of the speech. The Member for Mid Lothian always claims that the text should be read.

*SIR J. FERGUSSON: Time would not admit of that, but I may refer to various declarations made by the right hon. Gentleman, and especially in his later speeches. I am sure we need not draw odious comparisons, and that we may be content that our relations with foreign Powers are such that we may be satisfied with a policy which has led to so satisfactory a state of affairs. I hope I shall not be considered disrespectful to the Member for Kirkcaldy if I do not follow him into the somewhat discursive field through which he travelled. The hon. Gentleman harped upon the string of a secret understanding, and he referred to an answer which had been given in this House. It is a remarkable thing that almost at the same time the Minister in the Italian Parliament had used nearly the same expression as myself. There is no great mystery about it. Some of the words which the Italian Minister used are equivalent to those used in this House. I think I have again and again, in answer to questions of the hon. Member, stated that there have been during several years of anxiety which have passed away an interchange of views upon the condition of things in Europe, and with regard to matters in which they are particularly interested, namely, the maintenance of the *status quo* and peace in the Mediterranean. It is altogether unnecessary to mix up such a question with the Triple Alliance. We are no parties to the Triple Alliance; we are not even aware of the Treaties so-called which we are informed have been renewed between the central Powers in Europe. We have entered into no agreement or understanding with any Power pledging us to the employment of Her Majesty's forces in any contingency. The hon. Member, I must say, has arrived at the most unfounded conclusions. The hon. Member seems to think it important to establish that the policy of Her Majesty's Government and its understanding with foreign Powers are such as are likely to plunge us into a European war. The result of our communications with the Powers has been to produce greater harmony, to remove from the face of the world the apprehensions which darkened over it not many years ago, and by the common consent of all Sovereigns and statesmen we have from year to year been able to breathe more freely and to rely with greater confidence in the maintenance of peace.

MR. LABOUCHERE: What Sovereigns?

*SIR J. FERGUSSON: There is hardly a Sovereign in Europe who has not expressed these views. It is true, indeed, that the armaments of Europe remain in stupendous force, on a scale which no former age has seen, and which would render any war in the future of greater magnitude than any in which Europe has ever been plunged and attended with greater disaster than the history of the world can recall. That consideration ought to render any person in a responsible position most careful in using any language which is not in the interest of peace, which might arouse passion, and which might lead to war. Irresponsible persons feel themselves at liberty to use what language they please. The hon. Member for Northampton has spoken of a war for the restoration of the Rhine provinces as a small matter.

MR. LABOUCHERE: I never said it was a small matter.

*SIR J. FERGUSSON: Then the hon. Gentleman recognises it as a large matter. He talks of it as a legitimate object of which this country would approve.

MR. LABOUCHERE: No; I did not say that this country would approve. What I said was that if this war unfortunately took place our sympathies would be on the side of France.

*SIR J. FERGUSSON: That is going a long way towards what I have stated. Our sympathies would be against the Power which broke the peace. That I say in answer to the hon. Member. I repeat that it is a very rash and dangerous thing for any man who occupies a position of influence to give any encouragement to such an idea. The hon. Member has again asserted that the Triple Alliance will be offensive as against France and Russia. I say we have given no adhesion to any understanding or agreement hostile to any Power. Our sympathies will be with those Powers which keep the peace and against those who break it. Does any one suppose that well-informed statesmen such as now rule in the Kingdom of Italy are not aware of the British Constitution and the limitations on the power and policy of any British Administration? Can it be supposed that a British Government would enter into any rash undertaking for the employment of our Military and Naval Forces in any contingency? Each contingency must be dealt with according to the circumstances and the rights and the position of the Powers with which we are allied, and according to the duties which we owe under Treaty and to our fellow-subjects beyond the sea. We ought, indeed, as the hon. Member says, to avoid unnecessary intervention in European affairs, and more especially to obviate all dangers which might involve us in such conflicts as I have referred to. The hon. Member asks why the Powers are not called together in Conference. But Conferences are not lightly called together. The mere calling of such a Conference would be in itself a disturbing influence. I trust the time is not near when it will be necessary to call together another Conference to consider the affairs of Europe. We have now happily for a long period had no European war, except one confined to the Balkan Peninsula. For more than 20 years the Treaty approved after the Russo-Turkish War has been successful in maintaining the European concert, and if, after all, that is the Treaty which guards the policy of the Great Powers, it is certainly one of which we need not be ashamed. At any rate, we may hope that it will be effective in guiding the policy of Europe for many years to come. We have had questions of delicacy with France, but we have always studiously respected its rights. We have shown that respect for our engagements at the risk and cost of some friction with our colonies, and the Ministers of France have been the first to acknowledge the loyalty and fidelity of Her Majesty's Government in that particular. The hon. Member will recollect that he was not long since responsible for the statement in his paper, which was the only paper that made such a comment, that the meeting of the French Fleet and British squadron at Malta was not entirely cordial. That statement evoked

the unanimous disclaimer of the officers of the British squadron. They declared that they had entertained the French Fleet with the greatest pleasure, and that their relations with them were of the most cordial character. Her Majesty's Government could not charge themselves with having done one single act during their term of Office to lessen the cordial relations between the two countries; and if the Commercial Treaties between them are not such as they were 30 years ago, the fault does not lie with Her Majesty's Government. Most certainly I shall add nothing to the answers I have given on this subject. The leaders of the Opposition have with perfect discretion abstained from pressing Her Majesty's Government in this matter, and have accepted the declarations upon the subject which I have been able to make. If the hon. Member is not satisfied with what I have said, I am sorry that I cannot satisfy him. I shall not attempt to do so, but I shall rely with confidence upon the approval of the country of what has been done, and of its result. That result has had the effect of promoting good relations between this country and the European Powers. At the same time, the strengthening of the Imperial Forces of the country, of which the hon. Member has expressed disapproval, has placed us in such a position that we can maintain, strong and united, the Empire which we inherited, and for which the Government do no more than claim its legitimate position as one of the Powers of Europe in the interest above all of the maintenance of peace.

(11.44.) MR. BRYCE: This Debate is one of those in which it is more easy to do harm than good. I think my two hon. Friends were quite justified in giving an opportunity to the Government to summarise and recapitulate the declarations that have with some difficulty been extorted from them. First of all, I wish to say that we have nothing to do in this House with the Triple Alliance. It is a matter of no concern to us, and it is a matter in which we have no business to express an opinion. Our view must be confined to the part, if any, which this country has taken in bringing about that alliance, or in giving any assurances to the members of it. As to the understanding, as the right hon. Gentleman calls it, between Her Majesty's Government and the Government of Italy, I understood the right hon. Gentleman to say on a previous occasion that it was impossible to prevent an interchange of views—that it was impossible to avoid being asked as to the probable action of this country in the case of certain eventualities. No assurance, no engagement of any kind, ought to be given or entered into by a British Minister without the knowledge of Parliament, and the Minister of a constitutional country like this is, therefore, within his right in refusing to give an answer to an inconvenient question with regard to the future. I understood the Under Secretary to say that Her Majesty's Government had expressed a desire for the maintenance of the *status quo* in the Mediterranean. That is a very vague account of the interchange of views. It leaves very much in doubt as to how far Her Majesty's Government may have gone in stating what they think would happen in certain eventualities. Of course, it was likely that Her Majesty's Government would be asked what the action of this country would be in the event of a war between France and Italy, and it is not at all unnatural that statements made with regard to the probable action of this country should be in danger of being construed as promises. I hope that is a distinction that Her Majesty's Government will bear in mind. Although I gather that the House will hear nothing more from the Under Secretary as to what the substance of the undertaking is, I hope he will understand that if we do not press for information it is because we rely on the statement the right hon. Gentleman has just made—that Her Majesty's Government have made, and will make, no binding engagement whatever, without communicating it to the House. There ought to be no doubt as to what the true policy of this country is. Clearly that policy is to enter into no engagement that can either fetter her freedom or give offence to her allies. We have responsibilities enough, and it would be the very wantonness of folly to en-

deavour to increase our engagements, which are already a great tax on the strength of our Empire and its Military and Naval Force. The right hon. Gentleman the Under Secretary said we must judge every contingency as it arises. That, after all, is the answer this country ought to give if we are asked to pledge ourselves in any future eventuality. It is perfectly impossible to foresee under what circumstances and with what moral justification a conflict might arise, and we should surely be far stronger to exert our forces on the side of peace, if a conflict should unhappily break out, if we were free from all engagements beforehand. These are commonplaces of foreign policy, and if I venture to put them forward it is only because there seem to be ideas afloat in some of the Continental newspapers which are based on the impression that a Treaty with this country has in some way been arrived at. I say we ought to be so far free that it will be possible for us, if occasion arise that involves British interests, to act in view of those interests and upon lines that are at the moment suggested by them. I do not think that, after what we have drawn from the Under Secretary of State on this occasion, it is necessary or would be profitable for us to press for any further disclosures, and after a withdrawal from some of the statements which the Under Secretary of State was understood previously to have made—I do not say that the right hon. Gentleman made those statements; I think that he has been misunderstood—the object of this discussion has been obtained. We look with satisfaction at the fact that the Under Secretary of State has said that it is impossible that Her Majesty's Government will make any engagement which they will keep from the House of Commons, and that their only object is to preserve friendly relations with all Powers, and that they remain perfectly free to deal with every emergency as it arises. I hope that, if ever the time comes when this country is asked to take any action in any foreign troubles, Her Majesty's Government or the Opposition, as the case may be, will then remember that we have to-night had a full and complete declaration of the absolute freedom of this country at this moment, and that that declaration will remain fixed in our memories.

*(11.53.) SIR J. GOLDSMID (St. Pancras, S.): I wish to make a few remarks after the mischievous speech which we have heard from the hon. Member for Northampton. If anything were likely to create unpleasantness between this country and France it would be a speech such as that. I happen to know that at the present time the relations between this country and France are more cordial than they have been for many years—more cordial than they were under the Government of the right hon. Gentleman the Member for Mid Lothian. I have frequent communications with France, and I know a good deal of what is going on in diplomatic circles there, and I can say that the hon Member has not correctly described the state of affairs. Then as to Italy. Why the hon. Member should make such a set against that country I do not know. What I would like to say with regard to the Italians is this: that all their statesmen are proud of the sentiments that Englishmen have always entertained towards their country. No one has been stronger in his sympathy with Italy than the right hon. Gentleman the Member for Mid Lothian himself, and the speech of the hon. Member for Northampton is the first word I have heard in disfavour of that country. I am satisfied that nothing will occur under any Ministry which will alter the present cordial relations between this country and Italy; the only thing which could do so would be mischievous language like that which we have just heard.

(11.56.) MR. LABOUCHERE: I deny that I have ever said anything in disfavour of Italy; the Italians have a right to do precisely what they like and to enter into what engagements they like; what I protest against is the idea that this country is going to take sides with Italy against France on the pretext of

maintaining the *status quo* in the Mediterranean. The statement of the right hon. Gentleman is entirely unsatisfactory as regards Lord Salisbury. We know that Lord Salisbury can do nothing—I have no doubt he would if he could—behind the back of this House or without communicating what he does to this House and receiving its assent. But Lord Salisbury has done his best to envenom the relations between this country and France. The hon. Member talks of "diplomatic circles." Those are not the circles in which I myself seek information. I have been in the diplomatic service, and a more ignorant set of people with regard to the public opinion in any country never existed on the face of the globe. We know that Lord Granville, on the very eve of the outbreak of the war between France and Germany, told us that peace was assured for the next 20 years. I rejoice to think that Lord Salisbury cannot pledge this country. The Republicans of France cannot look with great satisfaction at the persistent endeavour of Lord Salisbury to do his best to break up the warm and cordial alliance which has existed for many years between France and England. I believe that that attempt on the part of Lord Salisbury is made because there is a feeling that, if the Republic in France succeeds, Republicanism will spread abroad in Europe. I believe that there is a Royal and aristocratic boycott against France, and that Lord Salisbury would be delighted to see a general alliance against that country. ["Oh!"] Well, he has done his best to promote it. ["Oh!"] I hear the Attorney General opposite who, for the £12,000 a year he receives, thinks it his duty to come here and groan against everyone who says a word against his master. I shall speak against Lord Salisbury and protest against Lord Salisbury in spite of the subserviency of the Attorney General and the Liberal Unionists, who never lose an opportunity of rising to thank God that the right hon. Gentleman the Member for Mid Lothian is no longer Prime Minister, but that the future of this country is in the hands of Lord Salisbury.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Morton,*)—put, and agreed to.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

COINAGE [EXPENSES].

Resolution reported.

"That it is expedient to authorise the issue out of the Consolidated Fund during the year ending on the 31st day of March, 1892, of a sum of £400,000, and of applying any interest thereon towards meeting the Expenses to be incurred in pursuance of any Act of the present Session to amend 'The Coinage Act, 1870.'"

Resolution agreed to.

WESTERN HIGHLANDS AND ISLANDS (SCOTLAND) WORKS BILL.—(No. 396.)

As amended, considered.

It being after Midnight, and Objection being taken, Further Proceedings on Consideration, as amended, stood adjourned.

Proceedings to be resumed to-morrow.

FISHERIES BILL [LORDS].—(No. 406.)

SECOND READING.

Order for Second Reading read.

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I beg to move the Second Reading of this Bill, and in doing so I think it only necessary to state that its object is to provide for the carrying out of the declaration between Belgium and this country, by which the fishermen of both nations will be able to obtain damages for injuries inflicted to the boats of either country in the North Sea.

Bill read a second time, and committed for to-morrow.

PUBLIC HEALTH (SCOTLAND) ACTS AMENDMENT BILL.—(No. 371.)

As amended, considered; read the third time, and passed.

HIGHWAYS AND BRIDGES BILL.
(No. 384.)

As amended, considered; to be read the third time to-morrow.

BETTING AND LOANS (INFANTS) BILL [LORDS].—(No. 367.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

STATUTORY RULES PROCEDURE (RECOMMITTED) BILL.—(No. 397.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

MOTION.

ELEMENTARY EDUCATION CODE (SCOTLAND), 1891.

(12.10.) MR. CALDWELL (Glasgow, St. Rollox): I beg to move the Motion which stands on the Paper in my name—

"That an humble Address be presented to Her Majesty, praying Her Majesty that the Minute of the Committee of Council on Education in Scotland, dated the 11th day of June, 1891, amending the terms of Article 133 of the Code of 1891, be amended by substituting the word 'three' for the word 'five,' and the word 'fifteen' for the word 'fourteen.'"

The effect of my Motion is to confer upon the parent in Scotland the same right to free education for his children between the ages of 3 and 15 as have been conferred upon the parent in England by the Education Bill which has just passed the House of Commons. At the present moment, a parent in Scotland is only entitled to claim free education in the compulsory standards—that is, until his child passes the Fifth Standard, irrespective of age. On 8th June last, the Government introduced their Elementary Education (England) Bill, which conferred upon parents in England the right to free education for their children between 5 and 14. Following the lines of the English Bill, the Scotch Education Department three days later, namely, on 11th June, laid on the Table of the House a Minute of the Department changing free education in Scotland from standards to one of age, and making education free from 5 till 14, the same as in the English Bill. As, however, is well known, the ages in the English Bill are altered from 5 to 14 to from 3 to 15. Hence, following this extension of the ages in England, my Motion proposes similarly to alter the Minute of the Department, thus conferring upon the parent in Scotland the same extent of legal right to demand free education as is conferred upon the parent in England. Obviously, uniformity is the original intention and effect of the Minute, and the subsequent extension of the age in the English Bill necessitates a corresponding alteration in the Minute of the Department. The Government intend, I understand, to oppose this Motion. It will, therefore, be a spectacle for gods and men to find the Government and English Members refusing to the parents in Scotland the same extent of right to demand free education as has just been conceded to the parent in England. It is said that my Motion comes at an inopportune time, and at a time when the financial arrangements of School Boards for the year have all been completed. It is not my Motion, however, but the Minute of the Department lying on the Table of the House which introduced the subject at an inopportune time, and which disturbed the financial arrangements of School Boards. The Minute of the Department took away the legal right to free education from 12,000 children under five years of age (1,000 of whom are under four years of age) attending school in Scotland, most of whom belong to the poorer classes, and the cost of whose education is comparatively trivial; whilst, on the other hand, the Minute extends the right to free education to 32,000 children who are presently receiving the more expensive education above the Fifth Standard, but who are under 14 years of age, and who belong

to the class of society whose parents can afford to keep them at school and do not require to send them to work. When the inopportuneness of the proposed change and the consequent loss of revenue to School Boards was brought under the notice of the Department by questions in the House, the Department was equal to the emergency. Their reply was that, although the proposed change would doubtless involve some loss to the ratepayers, yet that the loss would be small compared with the extra grant of £100,000 which these same ratepayers would this year receive in aid of local rates. The extension of age proposed in the Motion from 14 to 15 could only bring in 15,000 more children, that being the total number of children on the roll of schools in Scotland over 14 years of age, whilst the reduction of the age from five to three years leaves matters in Scotland exactly as they are at present. Indeed, I will point to a typical case of what the probable general result in Scotland will be to the case of Govan Parish in the Partick Division of Lanarkshire. That School Board has a school roll of 17,500 children, but it is not the intention of that School Board to charge any school fees either for children under five or for children above 14 years of age. I should, therefore, be more than astonished if Mr. Parker Smith should deny to the rest of Scotland the same legal right to free education as has been conferred upon the parents in England, and as is likely to be enjoyed by parents in my own constituency. As regards the extension of the age from 14 to 15, I leave to the Scotch supporters of the Government to maintain the justice and expediency of the proposed alteration. I do not think there is a single one of them who does not desire the change. As already pointed out, the Minute of the Department takes away from children under five years of age (who belong chiefly to the poorer classes) the legal right to free education enjoyed by them for the past two years, and leaves them at the mercy of School Boards to charge or not to charge school fees. This change of the law takes place suddenly, and in the course of the education of 12,000 children under five years of age presently attending school. Under any circumstances it would be a strong step for a Government to take away a right to free education once granted, but it is hardly conceivable that a Government should do so without sufficient notice, and without guarding the interests of children presently attending school, and who began their education upon the footing of no school fees being charged. But that is not all. Out of monies belonging to the people of Scotland, School Boards in Scotland will this year receive 12s. per child in average attendance in respect of school fees. This fee grant is paid and will continue to be paid in respect of the attendance of children under five, the same as for children above five years of age. There will, therefore, be this extraordinary result of School Boards still receiving, in respect of school fees, 12s. per child under five years of age, whilst Parliament will have withdrawn the legal right of the parent to demand such free education, and have left it in the power of School Boards, over and above the fee grant of 12s., to exact school fees for such children. It may be said that it is an educational advantage to discourage attendance at school of children under five years of age. If so, that argument would apply to England as well as to Scotland. Why, then, was the change made in England? Was it made, not on educational grounds, but in the pecuniary interests of the denominational schools, the majority of which belong to the Conservative Party? Children under five years of age are a source of profit to School Boards in Scotland. School Boards receive a fee grant of 12s. per child in average attendance, and a further possible grant of 17s. per child in average attendance, or a total of 29s. per child under five years of age in average attendance—far more than sufficient to meet the cost of the education of such children without the imposition of school fees. The question of whether and how far education is to be free was a matter to be determined by Parliament, and not left to the will or caprice of School Boards. Hence, the right of the parent to free education for his children was freed in the case of England in the Elementary Education Bill which had just passed the House of Commons. In the case of Scotland it is freed and determined by the Minute of

the Department now under review. Parliament had determined in the case of England that education shall be free between the ages of 3 and 15. He therefore simply claimed for the parent of Scotland an equal extension of the legal right to free education.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty that the Minute of the Committee of Council on Education in Scotland, dated the 11th day of June, 1891, amending the terms of Article 133 of the Code of 1891, be amended by substituting the word 'three' for the word 'five,' and the word 'fifteen' for the word 'fourteen.'"—(*Mr. Caldwell.*)

(12.23.) MR. HUNTER (Aberdeen, N.): I have to complain that no one has risen to express the opinion of the Government. I regret that when free education was given to Scotland it was given in this form, that the particulars were to be determined by the Education Department. If it had been given as now for England by an Act of Parliament, it would not have been in the power of any Department, by a stroke of the pen, to rob Scottish parents of the right of free education for young children. The Minute was evidently intended to bring the Scottish law into conformity with the English Bill; but when that Bill came before the House the age of five was altered to three, and although the House gave way with regard to England, the Government are still persisting in maintaining this most odious and objectionable distinction for Scotland. This provision will leave it in the power of voluntary schools in Scotland to impose a tax on all children between the ages of three and five attending school.

*(12.25.) MR. FINLAY (Inverness, &c.): We have heard a great deal about the necessity for uniformity in this matter between the two countries. I will not express a final opinion as to whether the ages of 3 and 15 should be introduced into Scotland or not, but before taking that step I think we ought to wait till we can ascertain the opinion of the School Authorities of Scotland on the subject. In the first place, the grant in England was a grant of 10s. a head for all children between the ages of 3 and 15. The extension of the age to 3 and 15 in England, therefore, would enlarge the grant in proportion. In Scotland my hon. Friends seem to have forgotten that the grant was made in a perfectly different manner. It was a share of the Probate Duty and Excise Duties, which amounts to something over £300,000. Thus a lump sum is provided for the assistance of Education in Scotland. It is not a grant in proportion to the number of children between the ages of 3 and 15, so that any reasoning of that kind absolutely falls to the ground when applied to Scotland. If we inquire how that was distributed we find it was distributed according to the provisions of the Code, while Article 129 provides that it was distributed to the schools in proportion to the average returns of attendance, which again are defined by the 25th Article. According to that Article, the average returns are taken of those who attend the schools between the ages of 3 and 18. That was a state of circumstances absolutely different from that on which the English Bill was founded. What, then, is the use of talking about the advantages of uniformity between the two countries in this matter, when we find that the circumstances of the two cases are so entirely different? I think it will be found that the number of children under five years of age at school in Scotland is very much less in proportion than it is in England, and I believe that is one great reason which has led to the change with regard to the age in the English Education Bill. I think we ought to consider that there are two sides to this question. It is very doubtful whether it is a good thing for a child under the age of five to leave its mother's care and go to school. It is a matter in which the practice of Scotland is not in harmony with that which prevails in England. What would be the effect of the Motion of my hon. Friend? At present the School Boards have a certain discretion in the matter, and if this Motion be adopted it will be compulsory that all children

over the age of three years should attend school free of all charge. Have hon. Members considered what the effect on the attendance of the school will be; how far it would be necessary to provide additional buildings at the expense of the ratepayers, to increase the teaching staff, and to provide such attendants as will be required for infants between the age of three and five. All such sublunary considerations are beneath the notice of some hon. Members. This is a matter which ought to be looked at from the practical point of view. Before taking an irrevocable step of this kind we ought to point out what is the opinion of the School Boards in Scotland and of the people of Scotland in regard to this matter. The only argument which the hon. Member has adduced is that it is desirable that there should be uniformity between England and Scotland. I think it would be more prudent to pause so as to discover the views of the Scotch educational authorities. I do not desire to express any definite opinion one way or the other on this question, but I do think it would be hasty to accept at present the Motion of the hon. Member for the St. Rollox Division on such extremely general considerations as those which have been advanced in support of it.

(12.35.) SIR G. TREVELYAN (Glasgow, Bridgeton): I suppose we have heard the official answer to this Motion. My hon. and learned Friend says that the only argument in favour of the Motion is the desire for uniformity between England and Ireland. I do not admit it for a moment, but if it be the only argument, all that can be said of it is that it is one more that can be adduced in support of the proposal. My hon. and learned Friend has not put forward any argument of any sort or kind against the Motion. He merely urges that we ought to wait to see what Scotch opinion is on this subject. But we already know a great deal as to Scotch opinion on this subject. Experience has shown that Scotch parents are anxious that their children between three and five years should go to school. The parents, it is found, are sending them in largely increasing numbers, as stated in the Report of the Scotch Education Department, yet the Government propose that children between three and five years, who can now attend school free, should in future be liable for fees. Human nature and the circumstances with regard to parents and children are the same in Scotland as in England, and the same causes which induce parents in England to send their children to school below the age of five years will lead Scotch parents to do the same. The hon. and learned Gentleman spoke of the necessity there would be to increase the school accommodation. The average attendance is 524,000, but the number of places available is 716,000. It is idle to suggest that this excess of places will not amply suffice for a considerable time to meet any increase in the number of children who will go to school under the Amendment of my hon. Friend. I am quite satisfied that if the Motion is not carried to-night, it must eventually be forced upon the Government by Scottish public opinion and by the circumstances of the case. Sir, I consider we have got a great boon in the English Education Bill by having got rid of the long standing controversy, in which almost all the Scoth Members were on one side, namely, that there should not be a higher standard in which the fees are to be paid. We have now got the principle of age laid down, and by 15 every Scotch child will have passed all the standards which reasonably come within the circuit of elementary education. Let us complete the good work by asserting that 15 shall be the age up to which a child shall be sent to school without its being a burden to his parents, and enabling him to reap the benefit of that education which Parliament has given.

(12.40.) THE SOLICITOR GENERAL FOR SCOTLAND (Sir CHARLES PEARSON, Edinburgh and St. Andrew's Universities): It seems hardly possible after the speeches made to treat this question apart from comparison with the English Education Bill. The remarks of the hon. Member who moved this Motion certainly suggested that in the view of

the hon. Gentleman the main reason why the alteration he proposes should be made was to be found in the fact that the limit mentioned had been reached in the Education Bill which has just passed this House. I have not much to add to the remarks which fell from the hon. and learned Member for Inverness (Mr. Finlay) who has shown that the analogy between England and Scotland fails just at the very point where it becomes important if it is to be of any value that it should not fail, namely, when you come to consider the basis upon which that grant is distributed in Scotland as compared with the grant in England. The basis on which the grant is distributed in Scotland is the average [attendance, while the basis on which it is to be distributed in England is so much per child. The alteration proposed by the hon. Gentleman opposite would bring no additional grant into Scotland, but it would impose an additional burden by making that compulsory which at present is not so; that is to say, it would entail] on school authorities in Scotland the necessity of providing accommodation for children between three and five.

MR. HUNTER: As the English School Boards do.

SIR CHARLES PEARSON: Another difference suggests itself between England and Scotland. There can be no doubt that, according to the statistics of the two countries, school attendance begins at an earlier period according to the opinion and practice of the country in England than in Scotland. That has long been so, and the Report to which the right hon. Baronet (Sir G. Trevelyan) referred, and which is quite in conformity with the previous recommendation of the Department, had reference to a state of affairs not in a part of the country where the children did not attend school for five years, but where the children were not sent to school until they were six or seven years old. This was what the Department always objected to, and did its best to remedy, but the recommendation did not apply to cases where children were sent to school at five. I am not aware of any foundation for the suggestion that the Department in any way laid itself out to encourage the sending children to school in Scotland at an earlier age than five. There is a remarkable omission in the arguments that have been submitted to the House by the supporters of the Motion. One would have expected that an alteration such as is now moved for would have been supported by some kind of evidence that there is a demand for it on the part of the educational authorities and those entrusted in the work of education. But from these authorities, and from those who have the work of education in their hands, there is not a single symptom of a desire to have the limit of age fixed in England imposed upon them, and no instance has been quoted by the hon. Member for St. Rollox to this effect.

MR. CALDWELL: I may say in answer to this remark of the hon. Gentleman that there are at present 12,000 children under five receiving free education in Scotland, showing that the people wish it.

SIR CHARLES PEARSON: My observation was that we should have expected some instances from school managers or Boards, or those responsible for the good management of schools, some indication of a desire that this alteration should be made. They have had time enough to consider the proposition.

MR. CALDWELL: May I explain, when I am asked for evidence? We knew that an English Bill was going to be introduced, and that Bill only passed a few days ago, and that Bill has changed the age of children in respect to whom a grant is to be made.

SIR CHARLES PEARSON: It is not a matter of a few days. My observation applies to the proposal in the hon. Member's Motion, which has been before the country for a considerable time, and I say no instance has been given of any demand whatever on the part of those interested in support of the Motion. There are, on the other hand, instances of a desire on the part of those interested to adhere to the Minute of the Education Department, and in the

absence of anything to the contrary it does seem to me that this matter ought to be left where it lies in the Minute. The limit in the Minute has been fixed after careful inquiry of the Local Bodies, and School Authorities have shown no intention of dealing in a narrow and niggardly spirit with the power they have. They will not regard this as doing more than enabling them to correct abuses if need be; they will not take it by any means as a necessity laid on them to charge fees for attendance of children under five years of age. Another objection to the Motion is that the financial arrangements of the School Authorities in Scotland for the present year have been made on the footing that the Minute is to be adhered to, and it will cause an awkward dislocation of arrangements if this alteration is now made. I therefore submit that the Motion ought not to be agreed to. It is quite possible that a year's experience of the Minute as it stands may lead to some further change, but I believe it is equally possible and more probable that a year's experience will show that Scotland is perfectly satisfied with the present limit.

(12.50.) MR. J. P. SMITH (Lanark, Partick): The hon. Member who moved this Resolution has alluded to the Govan School Board, and perhaps I may be permitted to say that a few days ago I received a letter from the clerk to that Board, in which he says that although the Board have not had an opportunity of considering the subject at a meeting, he could confidently say that the members of the Board were strongly in favour of adhering to the Minute in the form in which it now lies upon the Table. From the clerk to the Glasgow School Board I also have a letter to the same effect, expressing a strong desire to have the limit remain 5 to 14. The question of raising the age is not a new one. For months it has been before the country, and every School Board has had the opportunity of considering it. As to the increase in the number of very young children, of which the right hon. Baronet (Sir G. Trevelyan) has spoken. I, without going into the general question, will give the actual figures in the Govan School Board District. Of 17,500 children on the roll of the free schools, only 103 are under five years of age. That explains pretty clearly that there is an objection to extending the age. Out of the same number—17,500—there are only 188 over 14 years of age. There is not the analogy between the position in Scotland and England which the hon. Member attempted to prove, and the expression of opinion in Scotland among those interested in reduction is in favour of the Minute as it stands.

*(12.52.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): It appears to me, after the elaborate defence of the Scotch Education Department, offered by the senior Counsel behind me (Mr. Finlay) and the junior Counsel opposite (Sir C. Pearson) on the Front Bench, that the simple fact we have to remember is that children between the ages of three and five are being educated without payment of fee in Scotland. School Boards in Scotland, whatever Minute is passed, will not charge for the education of these children, and therefore all the evils which hon. Members have pictured as likely to follow a lowering of the age are already in process of realisation. All the requirements of additional accommodation and the burden on the rates of which we have heard so much will come whatever step we take. But the truth is Her Majesty's Government introduced a Bill for free education in England, and they determined, in opposition to all the arguments which were used against us last year, to extend free education beyond the compulsory standards. They adopted the limit of age 5 and 14, and then they issued this amended Minute fixing the same age in Scotland. What then becomes of the argument of the inexpediency of attempting to introduce uniformity in the two countries? It is the Government who have disturbed the waters; they introduced this deadly

uniformity. I must confess to a little surprise at hearing my hon. and learned Friend the Member for Inverness (Mr. Finlay) inveigh against uniformity of administration in the two countries. I thought uniformity in the three countries was the sheet anchor of his politics. The Education Bill in its passage through the House, underwent a change, the age of free education was altered to from 3 to 15, and all we say is you having yourselves acknowledged that the age in Scotland should be the same as in England, let that be so now, that you have altered the age in England from what was intended when this Minute was issued. The whole thing lies in that. I do not believe there will be any great financial result one way or the other from the alteration proposed; but we say the standard, the limit of age which represents the proper degree of freedom which should be given to education in Scotland, should not be narrower than that which is given in England. In England the limit is laid down in what will be the actual Statute, in Scotland, on the other hand, we have adopted what I think is a somewhat better system, our Statute affects the matter merely by giving power to the Department to issue regulations from time to time. This Minute, therefore, corresponds precisely in its legal effect in Scotland to the Bill now under the consideration of Parliament. We do not wish to take this retrograde step and fly in the face of what we know to be the general opinion in Scotland. We have heard something of Govan and other School Boards having taken the view which is taken by the Education Department; but I am not so sure that the School Boards themselves, their seretaries, and their members so accurately represent the popular public opinion of the country that we should alter our view on that account. I should have thought it would have been more reasonable for Her Majesty's Government, if they could not assimilate the Minute to what will be the law in England, to have cancelled the Minute, leaving things as they stand. If the Motion is persisted in, I shall certainly support my hon. Friend, because I think it would be discreditable to Scotch Members if they deliberately placed on record, as they would by approving this Minute, their opinion that 5 to 14 is the limit within which education should be free. We know perfectly well that there would be no charge made by School Boards for the small children or for the older children; but at the same time we do not wish to have it recorded as our opinion that these are the proper limits for freedom of education, especially when wider limits have been approved for England.

(1.1.) MR. SINCLAIR (Falkirk, &c.): I protest at once against the statement of the right hon. Gentleman who has just sat down that in supporting the Government anyone will thereby be saying he maintains that the age between 5 and 14 is the only age at which free education should be given. The fact of the matter is that, as the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) said, a number of children who now obtain free education will be liable to be called on to pay fees. But they are liable to be called upon to pay fees now. ["No."] All children under five years are liable to pay fees, and the effect of passing this Minute is to leave matters precisely as they are at the present time.

*MR. C. S. PARKER (Perth): I only wish to clear up a matter of fact. The last speaker denied that in Scotland children under five years of age are now entitled to be educated free. I do not think it right that the Lord Advocate should sit there silent and take advantage of such a misapprehension. Not only are children under five in fact educated, but they are legally entitled to be educated free of charge. The Code says, "No fees shall be exacted from scholars who have not yet passed the Third Standard." That legal right it is now proposed to take away.

(1.3.) The House divided:—Ayes 44; Noes 81.—(Div. List, No. 341.)

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at ten minutes after One o'clock till to-morrow.

HOUSE OF LORDS,

Friday, 10th July, 1891.

NEW PEER.

Lord Deramore — George William Bateson de Yarburgh Baron Deramore, having succeeded to that title on the death of his brother Thomas Lord Deramore by virtue of a special limitation contained in a patent bearing date the eighteenth day of November in the forty-ninth year of the reign of Her present Majesty — Was (in the usual manner) introduced.

PUBLIC HEALTH (SCOTLAND) ACTS AMENDMENT BILL.

Brought from the Commons; Read 1ª; to be printed; and to be read 2ª on Tuesday next; (Lord Hamilton of Dalzell). (No. 228.)

BUSINESS OF THE HOUSE.

Leave given to the Lord Tyrone (*M. Waterford*) to speak sitting during the remainder of the Session.

PRIVATE BUSINESS.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 10) BILL.

Order made on Friday last committing the Bill to a Committee of the Whole House, discharged.

LORD BASING: My Lords, in asking your Lordships to allow this Bill to be re-committed, I ought, perhaps, to offer a word of explanation. This Electric Lighting Provisional Order Bill, with several others, was referred to a Private Bill Committee of which I have the honour to be Chairman. The only opponent of the Bill was the parish of St. Luke, Chelsea, as represented by their Vestry Clerk, who appeared and objected to the provisions in the Bill under which the Board of Trade has arranged that the London County Council should be made the Electrical Authorities—for supervising the arrangements under the Bill. The Vestry Clerk contended that the Vestry should be made the Electric Authority, because they were, in fact, already constituted the authority under another and very recent Act, dealing with the electric lighting within the same parish, whereas the London County Council had no such right of interfering with the electric lighting in the parish. The London County Council did not appear either by themselves or their agents, and it was with some difficulty that the Committee found what was the reason that actuated the Board of Trade in making this arrangement, and why the London County Council adhered to it. On the other hand, the promoters of the Bill had no objection to the alteration desired by the Vestry Clerk, and the Committee, after hearing him, decided that the alteration should be made. Subsequently, the London County Council, not being aware of the intention to make this proposed alteration, thought themselves aggrieved at not having the opportunity of stating their case; but the Committee could not depart from the decision they had come to, and, as at present advised, there seems no reason to suppose that it was wrong or in any way improper. Nevertheless, having been applied to by this important body—the London County Council — they considered that they ought perhaps to have an opportunity of being heard, although, as I have said, they had not appeared either by themselves or by their agents. Not having had any authoritative communication from the Board of Trade on the subject, and as I was informed that the parties interested might, if they choose, present a Petition to your Lordships' House for a re-committal of the Bill, I would not raise any objection, but would, on the contrary, facilitate it. I am unable to say what is the practice of your Lordships' House, or whether, under the circumstances, this proposal ought to be made, or, if made, whether it ought to be entertained; but, on behalf of the Committee, I may say that I have no objection to offer.

Moved, "That the Bill be re-committed."—(*The Lord Basing.*)

THE EARL OF MORLEY: With regard to the Motion made by the noble Lord, I think it would be well for the House to assent to it in this instance; but I must say this: that the London County Council ought to have been aware of the character of the Petition presented by

the parish of Chelsea for the alteration of the Bill, and that it was their duty to have appeared before the Committee, and to have argued their case against that Motion; but by negligence on their part—for I can call it nothing else—that course was not taken. Still, I think it would probably be convenient that the London County Council should have the opportunity of being heard before the alteration in the Bill is approved. I do not, of course, express the slightest opinion as to the merits of the case which will come before the Committee; but as the noble Lord opposite—the Chairman of the Committee—has moved that the Bill be re-committed, I think it will be well, on the whole, for the House to assent to the Motion.

On Motion, agreed to.

Bill re-committed accordingly.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 208.)

REPORT OF AMENDMENTS.

Amendments reported (according to order).

Clause 4.

Verbal Amendments made.

Clause 11.

THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, on page 13 I propose to amend Sub-section 3. I wish to be allowed to say that my object in moving this clause in substitution for Sub-section 3, which was moved by my noble Friend (Lord Londonderry) in Committee on this Bill, has been chiefly because, although in our opinion the drafting was fairly intelligible, and there was no extreme difficulty in understanding its meaning, yet, as a matter of fact, it appeared that hardly any of the noble Lords who spoke upon it on either side of the House were able to clearly understand what was meant by the sub-section, in spite of the very clear and able statement made by the noble and learned Lord, and, that being the case, Her Majesty's Government have thought it as well to endeavour so to re-draft the sub-section as to make it, if possible, absolutely clear and intelligible to the House. I will put Sections (a) and (b) first. I do not think I need enter upon an explanation of them at any great length on the present occasion, because I explained as well as I could on the former occasion the intention of the Government. If I may be allowed to say so, I think the difficulty arises in the minds of several noble Lords opposite, especially the noble Earl (the Earl of Kimberley), from the fact that they apprehended that we were dealing with the Guarantee Fund, whereas in reality we are dealing with the money advanced, and for which the Guarantee Fund is the cover. If that had been understood, I think, perhaps, the noble Earl would have seen the matter more clearly. I do not think there is any other difficulty to which I can call your Lordships' attention.

Moved, in Clause 11, page 13, to amend Sub-section 3, so that it will read as follows:—

"(a) One twenty-fifth of the total amount available for advances under this Act in each county shall in each financial year be deemed to be allocated according to the proportion above mentioned between the classes of holdings exceeding and not exceeding a rateable value of £50 respectively. (b) If the advances applied for (and which appear to the Land Commission likely to be sanctioned) for the purchase of holdings exceeding £50 rental fall short in any year of the amount so deemed to be allocated to the class of holdings exceeding £50 valuation, the difference shall be carried to a common fund to be available for the purchase of any holding within the county for the purchase of which advances may be made under this Act."—(*The Earl Cadogan.*)

THE EARL OF KIMBERLEY: I have not the least intention of raising a discussion on the merits of the clause, which were discussed in Committee, but I am very glad indeed that the noble Earl has proposed this Amendment, as I think it makes quite clear what is intended. Certainly it was not made clear to me the other night, and I can assure the noble Lord it was not quite clear to many other people, both in and out of the House. I saw one noble Lord connected with Ireland only yesterday, who assured me that the intention was not that which it now appears is the true one. My noble Friend is aware that Earl Spencer thought the whole operation was limited to one year, and that there would be no alteration in the subsequent years, but the noble Lord's explanation makes it clear that this operation is to be repeated from year to year, and that

entirely, I think, meets the difficulty as to the obscurity of the clause. I should like to know whether the 1-25th which this advance is limited to in the year represents what was agreed to be allotted, or how that amount is calculated, and what the amount is. Does it limit the amount to what is available out of the whole sum year by year, or is it the nominal amount which would be usually applied for?

EARL CADOGAN: In answer to the noble Earl's question, I would explain that the 1-25th does not represent the whole sum that can be allotted in each year. As he will see if he studies the Bill carefully, either class, either those above or those below £50, could claim the whole of the 25 years' purchase of that which will be allotted to them. It is not limited to the one year's allotment. Practically this apportionment each year is a matter of itself; it does not affect in any way the right of either class to apply within one year, even for the whole of the 25 years' purchase.

LORD HARLECH: It is quite evident that the noble Lords who have spoken do understand what the clause is; but I think the House in general cannot possibly know anything about it at present. It seems to require some further elucidation.

LORD HERSCHELL: I should like to ask the noble Lord one question. Is the 1-25th of the whole amount available for advances in each year, the same thing as the share of each tenant in the Guarantee Fund in each financial year?

EARL CADOGAN: I am afraid the noble and learned Lord does not quite see that what we are dealing with now is the money advanced and covered by the Guarantee Fund, 1-25th of the amount of the Guarantee Fund, not the Guarantee Fund itself. That is calculated in each year in order to arrive at the proportion; but it does not follow that application cannot be made for the whole amount. On the contrary, if it were desirable, each class, both those above and those below £50, might apply for the whole amount in one year.

THE MARQUESS OF LONDONDERRY: My Lords, I think it is perhaps due to the remarks I made on Thursday last that this particular complication has arisen. In dealing with the figures which I gave to your Lordships I dealt only with the Annual Guarantee Fund provided by each county, and it was the surplus of that fund which was to be devoted to this purpose and distributed among the tenants over and under £50. That was what I was dealing with. It was the surplus of that Annual Guarantee Fund that I proposed should be devoted to form a fund to be administered under the Ashbourne Acts. That was really the proposal I made, and which I think is now met by the noble Lord's Amendment.

LORD HERSCHELL: There is a verbal correction necessary I think, to which attention should be called. In Sub-section 2 it says: "and which appear to the Land Commission likely to be sanctioned," but in Sub-section 3 the words *primâ facie* are introduced—"which appear *primâ facie* to the Land Commission likely to be sanctioned." I think they ought to read the same in each case, as I do not suppose there is any difference intended.

EARL CADOGAN: Does the noble and learned Lord wish to have the words "*primâ facie*" inserted in Sub-section 2?

LORD HERSCHELL: I do not wish them to be inserted for any purpose, because I do not think there is any use in them, but I think if they are retained in the other sub-section they they should be put in in order to make the two correspond. The word "appear" is really I suppose what was intended.

EARL CADOGAN: I have no objection.

Amendment, as amended, agreed to.

EARL CADOGAN: Then, my Lords, I will move the other two sub-sections—

"(c) If the advances applied for (and which appear primâ facie to the Land Commission likely to be sanctioned) for the purchase of holdings not exceeding fifty pounds rental falls short in any year of the amount so deemed to be allocated to the class of holdings not exceeding fifty pounds valuation, the difference shall be carried to a common fund to be available for the purchase of any holding within the county for the purchase of which advances may be made under this Act.

(d) Returns shall be published by the Land Commission at the end of each financial year in at least one newspaper circulating in each county setting out the amount (if any) carried to the common fund under the provisions of

this sub-section in the preceding year, and the class of holdings in respect of which such amount has been so carried."

Amendment agreed to.

Clause 11, as amended, agreed to.

Clause 14.

Verbal Amendments made.

Clause 15.

EARL CADOGAN: The next Amendments in my name are merely as regards the drafting of Sub-section 3 of this clause.

Moved in Clause 15, page 15, line 5, amend sub-section (3) so as to read as follows:—

"The trustees of any incumbrance, charge, annuity, or rent, with the consent of the persons beneficially interested, may at their discretion (notwithstanding any general prohibition of investment in securities not mentioned in the instrument creating the trust) accept in payment of such incumbrance or charge, or the capital value of such annuity or rent, a sum of guaranteed land stock equal in nominal amount to such incumbrance, charge, or capital value."—(*The Earl Cadogan.*)

LORD HERSCHELL: I cannot help thinking there is some misapprehension with regard to this clause. I doubt whether it will carry out the effect intended. It provides that the trustees of an encumbrance may, with the consent of any persons beneficially interested, take the Guaranteed Land Stock. Of course such trustees, with the consent of all persons beneficially interested, may do so without any statutory power at all if the persons beneficially interested are *sui juris*. Whatever prohibition there may be in the instrument creating the trust, if the trustees and all the persons beneficially interested, all being *sui juris*, agree to take a different course, of course that course can be taken without any statutory authority, but by this Amendment they would not be enabled to do so, in that case. Of course it would not do to allow persons not *sui juris* to give their consent without the sanction of the Court. It appears to me as at present framed this will do nothing, and I apprehend it was really intended to do something more than I have pointed out, by giving a power of this kind with the sanction of the Court. If the Court sanctioned it a provision of that sort would be effective, but I fear this would not produce any effect at all.

Earl Cadogan

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): There is also the difficulty that the persons beneficially interested may not have been persons interested in the first instance. I have no doubt the construction put upon it by the noble and learned Lord is right, but with regard to the necessity of putting in the sanction of the Court, I would venture to suggest whether it would not be sufficient to say "any persons beneficially interested" who might be "of adult age."

LORD HERSCHELL: If the noble Marquess will forgive me, that would be to do little or nothing. I merely meant to suggest whether it would not be right to enable it to be done "with the sanction of the Court."

THE MARQUESS OF SALISBURY: If it reads as I propose, "with the consent of the persons beneficially interested who may be of full age," no further consent would be necessary.

LORD HERSCHELL: I doubt whether that would do, because there might be persons of full age but of only very limited interest, and you would then bind all those who were not *sui juris*.

THE MARQUESS OF SALISBURY: Perhaps it had better be "with the consent of the Court."

THE LORD CHANCELLOR OF IRELAND: The intention was obviously to give a wide power of investment and to include for obvious reasons the power of investment in the Guaranteed Land Stock as mentioned here. My noble Friend has, I think, pointed out very reasonably that the retention of these words practically does away with the ability to do what was intended. The original drafting was not Government drafting. There is no addition whatever to the power, as my noble Friend points out. If their consent is given, *caditquæstio*—there is no necessity for any amendment of the law at all. The only way to do it would be to strike this out, and to give power to the trustees to invest. I should be quite satisfied with that. That I think would be the best—to strike it boldly out.

LORD HERSCHELL: It might be amended by leaving out the words "with the consent of the persons beneficially interested."

Amendment, as amended, agreed to.

Clause 15.

Verbal Amendments made.

*THE EARL OF ERNE: My Lords, I think my Amendment to insert a new clause after Clause 16 comes next. With certain alterations and additions which do not really affect the main object or materially alter it, it is taken from Clause 9 of the Land Department Bill which was introduced by the Government, as your Lordships know, but has not been proceeded with this Session. The Ashbourne Act of 1885 only enacts that notice shall be given to mortgagees or encumbrancers before a sale, and the only notices provided for by this Act are under Rules 39 and 48 of December, 1887. The first rule prescribes that notice shall be given after the vesting order has been made; and the second rule prescribes that notice shall be given to claimants after the final schedule has been lodged. It will, therefore, be seen that notice to these encumbrancers need only be given after all the preliminary expenses, and the expenses of making title have been incurred, and it is then in the power of the encumbrancers to step in and stop the sale to the loss and disappointment of all parties concerned. This Amendment proposes that any objection shall be lodged at the earliest possible opportunity, and that notice shall be given to persons who may be entitled to object immediately after the advance has been sanctioned by the Land Commission. I hope that Her Majesty's Government will accept this Amendment, as it will, I think, be a great improvement in the Bill.

Moved to insert, after Clause 16, the following new clause:—

"(1) When the Land Commission have sanctioned an advance under the Land Purchase Acts to a tenant who is purchasing his holding, notice thereof shall be given to the prescribed persons and in the prescribed manner, and it shall be lawful for any encumbrancer, reversioner, or other person interested in the purchase money, other than the landlord or tenant, to apply in the prescribed manner and within the prescribed time to a Land Judge; and thereupon such Judge shall inquire into the sale and the sufficiency of the price agreed on, and if he shall decide that the sale ought not to be carried out on the ground that the agreement therefor was made at an under-value, or that under the special circumstances of the case the proposed sale would so unduly depreciate the value of the unsold property comprised in the same settlement that it ought not to be carried out, the sanction of the Land Commission to the advance shall be invalid.

(2) An appeal from a decision of a Land Judge under this section shall lie to the Court of Appeal in Ireland, whose decision shall be final and conclusive."—(*The Earl of Erne.*)

EARL CADOGAN: My Lords, I am afraid that I shall not be able to accept this Amendment. It appears to me to be really unnecessary, because incumbrancers are "persons aggrieved," as the noble Lord will see if he looks at Clause 28, line 13. It is there enacted—

"Provided that any person aggrieved may appeal from the decision of any Commissioner acting alone in carrying the said Acts into effect."

Therefore, this Amendment is thought to be unnecessary. Notice is always given to anyone who is interested, and I really do not see the necessity of this Amendment. I hope the noble Lord will not press it.

*THE MARQUESS OF WATERFORD: I think this is an important Amendment in the interests of the remainder-man as well as of the mortgagee. It is quite possible that under this Act a proprietor might sell at a ridiculously low price to his tenants, ignoring the position of the remainder-man altogether. I think that ought to be guarded against, and protection given at any rate to the remainder-man, who I do not think would come under the definition given by the noble Lord of a "person aggrieved." I do not think that Clause 28 is meant to meet such an objection as this. We are all aware that in Ireland properties in some places have been sold for a perfectly ridiculous number of years' purchase. I have even heard of cases where the price has been as low as six years' purchase. Just imagine the position of the remainder-man if, against his consent, he saw his property, or what would be his property in the future, being sold for such a ridiculous price! I do not believe myself that Clause 28 will protect him, because I do not think he will have any *locus standi* with the Chief Commissioners if he appeals to them under the great hardship which may be inflicted upon him. I think, therefore, this is a very important clause of my noble Friend's.

THE LORD CHANCELLOR OF IRELAND: There is no doubt that the noble Lord who has moved this clause and the noble Lord who has just spoken

have presented it to your Lordships as containing reasonable topics that are well entitled to consideration, and that it would be unreasonable to provide a code of law that would not apply to the circumstances which may be supposed to exist; because what the noble Lord suggests is that the case should be considered where the sale was proposed to be made at an undervalue, and where the circumstances were such as to unduly depreciate the value of the property, and the noble Lord who has just spoken indicates that there might be a thriftless or improvident owner who would recklessly enter into a bargain. I do not know of such a case myself, but it may be there have been such cases — and it might be that in such a case the person next in remainder, if young, would, against the person in possession, if old, have to be heard and allowed to present his views; but my noble Friend the Lord Privy Seal has pointed out that under Clause 28 there is a power of appeal given which did not heretofore exist in reference to all these matters. I do not say at all that a person entitled in remainder would not have a right to come in and say, "I am aggrieved, because, in the ordinary course of nature, upon the death of the person now living, I should have a right to come in and show that the property has been sold too low." I think he would come within the definition of a person aggrieved, and that those cases would come within the very mischief of the section under which the appeal was constituted for the first time under this Act. Up to this time there has been no appeal provided for; but now there is one, and a person claiming as remainder-man would have the right of being heard under the clause.

Amendment, by leave, withdrawn.

Verbal Amendments made.

Clause 15, as amended, agreed to.

Clause 18.

Verbal Amendment made.

*The Earl of BELMORE: My Lords, the next Amendment in this clause stands in my name. It is one that I was asked to postpone by the noble Earl the Lord Privy Seal on the last occasion, and perhaps I may be allowed to ask his attention to it now. I explained my objection to this clause on the last occasion, and if it were not that a suggestion has been made to me on one point, which I will mention directly, from a very important quarter, I would again simply move this Amendment, hoping it might be accepted at once. In the first place, I would say a few preliminary words. The object of the section is to make it quite clear, in consequence of some conflicting decisions in the Irish Courts, that the purchase money of land sold under this Act may be applied to redeem certain terminable Government annuities, one of those being the tithe-rent charges instalments, and similar matters affecting tithe-rent charges, and the others being the land drainage charges. In future this clause will put the legality of that course beyond dispute. But I happen to know that with the sanction of the Court this clause has been already acted upon to a considerable extent, under the idea that it was already a legal power; and it is to hold Trustees harmless in what they have done, with the sanction of the Court, in paying over money into a public fund under the control of the Treasury that I move this Amendment to the clause. It has been suggested to me by a high legal authority that if there is a case in which the Court of Chancery has made an order that money shall be refunded by Trustees this clause would be improper. I do not know whether there is at present any such case; but if it is, I admit it is a matter of great weight, and I should be quite willing, if the noble Lord will accept the clause, to move it with any alteration he thinks it right to suggest. With that explanation I hope the noble Lord will accept my Amendment.

Moved, in page 17, line 20, after "sold," to insert the following words:—

"Where any such instalment, mortgages, or charges have been redeemed out of the proceeds of any settled land prior to the passing of this Act, the provisions of this section shall apply in the same manner as if such redemption had been made after the passing of this Act."—(*The Earl of Belmore.*)

Earl CADOGAN: Those who understand these legal matters best appear to be very much opposed to accepting this clause, which I think the noble Earl has admitted makes the matter retrospective.

I am informed that if a Trustee had been ordered to bring up a sum of money which had been invested this makes it legal. I am afraid I have no other reasons to give the noble Earl, and as it does make the matter retrospective I am afraid I cannot accept it.

THE LORD CHANCELLOR: Does the noble Earl press the question?

*THE EARL OF BELMORE: Yes.

THE LORD CHANCELLOR OF IRELAND: The point I think is this: The substance of what my noble Friend has moved obviously commends itself to the House and to those who have studied the matter; but, of course, great care must be taken, in dealing with a measure of this kind in a way which purports to be retrospective, not to interfere with the directions given in the Code in reference to the proceedings of Trustees. It may be the fact, and I know it has been so, that Trustees have endeavoured to get a judicial sanction to their actions, and in past states of the law they have found that the decisions have gone against them. Of course, care must be taken that past judicial decisions are safeguarded, and are not sought to be set aside, and I believe that if some such words are considered either now or at some future stage of the Bill, it might be that the matter which I have indicated might be safeguarded, and that, instead of the words of the noble Earl, some such words as these might be introduced—I believe they would carry out the view expressed—

"Anything done before the passing of this Act, which, if done after its passing, would have been valid by virtue of this section, shall be deemed to have been validly done."

Then follow the words to safeguard the judicial proceedings—

"Without prejudice to any proceeding instituted in a court of law before the passing of this Act."

I believe that would substantially carry out the views of my noble Friend, and will safeguard the point which I think must be looked to of not disturbing past judicial decisions. If the noble Lord sees his way to substituting those words, they can be further considered on Third Reading if necessary.

*THE EARL OF BELMORE: I should be quite willing to accept that. In fact, I have intimated already that I should be willing to accept any alteration which might be thought necessary, and if the noble Lord will either suggest a clause to me, or bring up a clause himself on Third Reading, I shall be happy to accept it.

EARL CADOGAN: Has the noble Earl any objection to putting in the words now?

*THE EARL OF BELMORE: No; I will withdraw the original Amendment.

Amendment (by leave of the House) withdrawn.

*THE EARL OF BELMORE: The noble Earl the Lord Privy Seal suggests that I should move the words in substitution now, and I will therefore do so.

Moved at the end of Clause 17, to add the words—

"Anything done before the passing of this Act, which, if done after such passing, would have been valid by virtue of this section, shall be deemed to be validly done, without prejudice to any proceedings with reference thereto instituted in a court of law before the passing of this Act."—(*The Earl of Belmore.*)

Amendment, as amended, agreed to.

Clause 18, as amended, agreed to.

Clause 20.

Verbal Amendment.

Clause 21.

Verbal Amendment.

Clause 23.

*VISCOUNT DE VESCI: My Lords, my Amendment here is to insert a new clause after Clause 23 dealing with the guarantee deposit. This clause, although it is more or less on the same lines as the Amendment I had the honour to move in Committee is not absolutely identical. I hope it will meet some of the objections which were then raised on behalf of the Government. The Amendment I proposed in Committee was, after the Land Commission had endeavoured to sell by every means in their power in the open market and the debt was then declared to be irrecoverable, the owner, if he had received notice that his guarantee deposit would be impounded, would then have the option of requiring the transfer of land stock from the guarantee deposit to the full amount of the debt, and that he should be put in possession of the holding. This clause puts it in this way: If the owner

re-purchases the holding in the open market in competition with other persons, he may require the Land Commission to transfer from the deposit as much Land Stock as will cover the debt. As I pointed out before, there is this advantage to the Treasury—that the Guarantee Fund is absolutely untouched in this case. It has been pointed out to me that in cases of owners who are not absolute owners, some injustice might be done to the remainder-man; so I have inserted words which I think will safeguard that. The words are to this effect—

"The Land Commission may, at the request of such purchaser, and with the consent of the person or persons (if any) beneficially interested in the guarantee deposit, apply the guarantee deposit *pro tanto* in discharge of so much of the purchase money as is required to meet the amount of the annuity in default."

I think that will meet the point which has been mentioned to me, and provide against any injury being done to the remainder-man. I have the honour to move that this clause be here inserted.

Moved, after Clause 23, to insert new Clause—

"If the Land Commission, in the exercise of any power of sale of a holding, for default in payment of a purchase annuity, which they legally may exercise, have sold such holding, and the purchaser is the owner for the time being of the guarantee deposit relating to such holding, or entitled to the income thereof, the Land Commission may, at the request of such purchaser, and with the consent of the person or persons (if any) beneficially interested in the guarantee deposit, apply the guarantee deposit *pro tanto* in discharge of so much of the purchase-money as is required to meet the amount of the annuity in default, and thereupon make an order declaring the purchaser's interest in the holding to be charged with such sum in favour of the person or persons entitled to the capital of the guarantee deposit, but subject, nevertheless, to the future instalments of the purchase annuity."—(The Lord de Vesci [*Viscount de Vesci*].)

EARL CADOGAN: I think the words which the noble Lord has added, "and with the consent of the person or persons beneficially interested in the guarantee deposit," certainly do take away the objections which I had previously entertained to the clause, and with those words inserted I am prepared to accept it.

Amendment agreed to.

Clause 24.

Verbal Amendments made.

Viscount de Vesci

*THE EARL OF ARRAN: The Amendment which stands in my name is identical with that which I had the honour to move in the Committee stage of the Bill, with the exception that I have inserted another sub-section which stands No. 3 in the present Amendment, and which I shall, with your Lordships' permission, move. In the Committee stage, if I understood the noble and learned Lord (the Lord Chancellor of Ireland) aright, he approved of the object of the Amendment, but he requested me to withdraw it at that stage of the Bill and to bring it forward on Report, as Her Majesty's Government was anxious to consider it a little further, and, accordingly, I did so. In case any of your Lordships were not present when I moved the Amendment before, I think it would be well for me now to state its object. The object of the Amendment is to insert a clause on page 19, after Clause 24, to prevent the proprietor—that is, the purchasing tenant—while any of the instalments of the purchase annuity are unpaid, from doing any of the acts enumerated in the clause which might injure an adjoining owner or occupier, or which might decrease the value of the holding as security for the advance made. If after the Land Commission have in writing drawn the attention of the tenant to the contravention of the provisions of the clause, they would then be at liberty either to sell the holding, or, if they thought that too strong a measure, to bring the offending tenant before the Petty Sessions Court, and if the offence were proved, the Court would have the power to inflict a fine not exceeding £5. I trust your Lordships will think these provisions are reasonable, that they are really required for the protection of all parties concerned, and that Her Majesty's Government will be able to see their way to accept it.

Moved, after Clause 24, to insert new Clause—

"A holding, while subject to a purchase annuity under the Land Purchase Acts, shall, as between the Land Commission and the proprietor for the time being of the holding, be subject to the following conditions of purchase, that is to say, to the conditions specified in section thirty of the Land Law (Ireland) Act, 1881, and also to the following conditions:—

(a) The proprietor shall not, without the consent of the Land Commission, do any

act which, if done by a tenant at will, would as between him and his landlord be waste.

(b) The proprietor shall keep all main drains and watercourses upon the holdings at the date of the agreement for sale in good order, repair, and condition.

(c) The proprietor shall permit any person authorised in that behalf by the Land Commission at all reasonable times to enter upon the holding, and ascertain how far the several conditions of purchase are being observed.

(2) Where the proprietor persistently, after written notice given by the Land Commission requiring him to observe the same, contravenes any of the conditions of purchase which are set out in this section, or where the holding is liable to be sold for a breach of any of the conditions of purchase specified in section thirty of the Land Law (Ireland) Act, 1881, then, without prejudice to any other remedy, the holding shall be liable to be sold under this Act.

(3) In addition to the remedies already existing, the Land Commission may at their discretion, upon being satisfied that the proprietor has been guilty of a breach of any of the above conditions by an officer of the Land Commission or other person duly authorised by them in that behalf, summon under the provisions of the Petty Sessions (Ireland) Act such proprietor before the magistrates sitting at any petty sessions held in and for the petty sessions district in which such holding is situate, or such proprietor resides, and upon proof of such breach, the magistrates may for each breach inflict summarily on the proprietor a fine not exceeding £5, to be recovered as in other cases of summary jurisdiction.

(4) It shall be the duty of the Land Commission to enforce the observance of the conditions of purchase."—(*The Earl of Arran.*)

EARL CADOGAN: As the noble Lord has said, I think the noble and learned Lord the Lord Chancellor of Ireland did state that we should be prepared to accept this Amendment on Report, and we will do so. I cannot undertake, of course, to say what may happen to it when it gets into more troubled waters, but, as far as Her Majesty's Government are concerned, we are prepared to accept it.

LORD HARLECH: I do not know in this Bill, which is very complicated, where the machinery is by which such provisions as these are to be enforced. If there is no such machinery, but only the machinery which exists at present for calculating these charges, I cannot conceive how any such conditions can possibly be enforced. Perhaps Her Majesty's Government would point our attention to any clause which gives the Land Commission the power of carrying through this and many other conditions, such as those with regard to sub-division.

*THE MARQUESS OF WATERFORD: I would suggest to the noble Lord that the neighbours will have every inducement to see that these provisions are enforced. They will see to that. If the drains should be stopped, of course the neighbours will suffer most acutely, and they will report to the Land Commission, and take care to see that these provisions are enforced. I think it would be much better to have a fine of £5 than to have provisions which may never be enforced. Of course, it is not necessary that the fine should be £5, but it is not to exceed £5. I think the neighbours may be trusted to see to this. I have myself seen waste carried out on holdings that have been sold and it would be a very great thing not only in the interests of the people generally, but also in the administration of this Act, that this clause should be inserted.

LORD ORANMORE AND BROWNE: I think the provision is excellent, but still my noble Friend does not point out to the House through what machinery it is to be carried out. The Commissioners up to this time have had no staff of agents or anybody else, and I think that will be a very expensive matter; and I do not know that there is any money provision or otherwise made for that purpose in the Act.

*THE EARL OF ERNE: I hardly think the noble Lord on the Cross Benches can have read the clause, because it says distinctly it shall be adjudicated upon at Petty Sessions.

THE EARL OF KIMBERLEY: Will the result of the clause be that the drains must be kept open? Because I would point out that that is the object of the whole thing. Whether a penalty of £5 will ensure that being done I should doubt. It is a very novel thing to impose a fine, and I am afraid it will not work. What you want is some power to do the thing and to charge it to the proprietor, who is bound to do it or be responsible for it. That has always been the mode of enforcing such matters, and I have very much doubt whether this clause will answer the purpose.

THE MARQUESS OF SALISBURY: I am not going to say that I quite understand this matter, but I would point out that

if for the first offence he is fined £5, and that does not bring him to reason, on the occurrence of the second offence he loses his property.

THE EARL OF KIMBERLEY: I do not know that that is so.

THE MARQUESS OF SALISBURY: Yes, by the 2nd clause. It says, where the proprietor "persistently" contravenes the conditions.

THE EARL OF KIMBERLEY: I should have thought the 2nd clause says enough without the £5 fine.

Clause agreed to.

*THE DUKE OF ST. ALBANS: The Amendment which I now rise to move seeks to regulate the cutting of timber under the Ashbourne Act. The Land Commission has no power in purchasing a holding to pay for the timber at a valuation. It is obvious, therefore, that the landlord will cut the timber on the property before he transfers it, and your Lordships can easily understand, even if he omits to do so, an Irish tenant, if he can get £30 or £40 for the trees, particularly if they only shelter his neighbour's holding, will get it. The only timber which is likely to be left standing on estates sold under this Bill will be the signposts. I understand, under the Ashbourne Acts, an arrangement has been come to between the landlords and the Commissioners that the landlords may reserve the timber. It is easy to reserve minerals; until they are worked no harm is done to the surface; but if the timber belongs to the landlord and the land belongs to the tenant, the tenant has the undesirable sight of seeing the landlord's trees growing at his expense. Under this clause the tenant will be in a somewhat better position no doubt; he will only have the right of lopping and thinning unnecessary timber, but anyhow he will have the satisfaction of knowing that the trees which are growing will at the end of 49 years be part of his estate. The Amendment allows the Commission, in case of trees being in the interest of the holding—and I need not point out to your Lordships how necessary it is in Ireland in certain places to have shelter for the country—to take them at a valuation. This is a matter also which touches the public interest. I would also allude to the picturesque aspect to the landscape, but especially I would allude to that public advantage which is derived from the landmarks furnished by trees, and particularly for fishermen finding their grounds. This clause, if it is passed, cannot be said to be a great or any advantage to the landlord, because he will be merely paid for the trees at a valuation, and I scarcely think it will be likely to raise animosity between parties in Ireland, because it will be simply dealing with the physical condition of the country. I need hardly say how desirable trees are for the country. If the noble Earl the Lord Privy Seal is unable to accept this Amendment now, I am certain that before long, if this Bill is passed and the present system in Ireland with regard to cutting trees is carried on, some legislation on the part of the Government will be necessary to prevent the country being disafforested. I trust the noble Lord will be able to accept the Amendment.

Moved to insert, after Clause 24, the following new Clause—

"Whenever an advance has been sanctioned and the Land Commission think it necessary or desirable in the interest of the holding or of the public, or for the security of their advance, they may include the value of any timber in the price to be paid for the purchase of such holding, and may by the vesting order or conveyance, or by an order of the Land Commission, reserve to the Land Commission during the term of the purchase annuity the exclusive right to sanction the cutting of any timber trees upon the holding of the proprietor; and any attempt to cut the trees on such holding or other infringement on the part of the proprietor or other person of the rights hereby reserved shall be considered an act of waste, and the Land Commission shall have all the rights, powers, and remedies conferred by this or any other statute for the punishment of the proprietor for such waste."—(*The Duke of St. Albans.*)

EARL CADOGAN: The object which the noble Duke has in view is, as your Lordships will admit, a very important one, and it is impossible that one should not sympathise with any provision which might tend to the preservation of trees and forests in Ireland; but I must confess that, probably from my own dulness, I have not been able quite to understand the clause which my noble Friend has moved. It appears to me he proposes that the Land Commission may include the value of any timber in the price to be paid for the purchase of the holding, that price being paid, of course,

by the incoming tenant, and then he proceeds to enact that the Land Commission shall have control over that timber, its cutting down, and so on. If the value of the timber is included in the price of the holding, surely it would be difficult for us to limit the right of the purchase in the timber for which, under the noble Duke's clause, he has paid. I think it is very difficult to accept any clause the principle of which enacts that an owner shall be prohibited from cutting down trees for which he has himself paid. I am not quite sure whether I thoroughly understand the noble Duke's clause or the speech he made in introducing it, but I confess I feel considerable difficulty in the matter, and I am afraid the clause as it stands cannot possibly be accepted.

*VISCOUNT DE VESCI: I would venture to suggest to the noble Duke and to the Lord Privy Seal that the first part of the clause might be left out. That would remove the objections to the clause as it stands. Undoubtedly in the case of trees along the high roads, their destruction would be a very great public loss. Those trees might be cut, because the roads are measured into the holdings subject to the user of the public, and the trees are in the hedgerows actually on the holdings. I need hardly remind your Lordships how severe the loss in other countries has been, and in Germany, for instance, in forest districts no man is allowed to cut down timber without engaging to plant an equal number of trees instead. Under the operation of the Act of 1885, I am sure it must be admitted that there has been a great denudation of timber in Ireland, and if that is not provided for now there will be great difficulty hereafter. I see no difficulty in accepting the latter half of the clause.

EARL CADOGAN: If I may be allowed to explain, the objection I take to the clause is this, if I understand it aright, in the early part of the clause the Land Commission are empowered to include the value of any timber in the price to be paid, as I imagine, by any tenant purchaser of the holding; and then it proceeds to make restrictions which are to bind that purchaser in regard to what he is to do with his own trees which he has paid for under the beginning of the clause.

THE EARL OF KIMBERLEY: There is this difficulty in regarding him as absolutely in possession of this right: that he will not have actually paid for the timber so included in the price, because the purchase money is only to be paid by instalments spread over many years.

EARL CADOGAN: No; because under or by virtue of the vesting order, immediately on the vesting order being made the purchaser becomes the owner in fee.

THE EARL OF KIMBERLEY: Undoubtedly he becomes the owner, but he is much in the position of holding a mortgaged property under the Government. He becomes, of course, the holder in fee, and I quite admit that is an argument for his having full control over the holding, but he will not, in point of fact, have paid for the timber for a considerable time; and suppose he makes default after he has cut the timber down. I think that raises a great question whether he ought to be allowed to cut the timber down.

THE LORD CHANCELLOR OF IRELAND: There is no doubt whatever—it is a matter of experience—that the cutting down of timber by the new purchasers under the recent Acts has been a great calamity. The cutting down of the timber rather recklessly and somewhat in a prodigal spirit has not been advantageous. It is not a thing that is desirable, and if it can be checked in any reasonable and fair way it would be very desirable to do it. That, as I understand, is the object of the Amendment of the noble Duke; and provided that object is secured, however it is worked out he does not, I suppose, much mind—whether by putting in the word "exclude" or the word "include." The object, I think, is not unreasonable; but the last Amendment which has been accepted before this renders the present Amendment, I think, wholly unnecessary, because the 1st section there would safeguard the trees adequately and reasonably, if required. Therefore, I think it will be found unnecessary and undesirable to press this Amendment, because the framing of the Amendment is open to a considerable amount of criticism. It would be open to misconstruction on the tenant's part, and might be open to objec-

tion from the landlords if it was sought to deduct from the purchase money the value of the timber; and whilst thoroughly appreciating the object of the noble Lords who have moved and supported the Amendment, and fully agreeing that it is desirable to impose a check on the too prodigal cutting of timber, I think that the 1st section of the Amendment moved by my noble Friend the Earl of Arran, will be sufficient for the purpose, and I venture to think the matter might be left there.

*THE DUKE OF ST. ALBANS: With the indulgence of the House I should like to point out to the noble and learned Lord (the Lord Chancellor of Ireland) that the Earl of Arran's clause does not cover the case of a landlord who will not be paid for his timber, and who will naturally cut it. The question is, if a man is not paid for his timber he will cut it down?

*THE MARQUESS OF WATERFORD: I would suggest with regard to the very reasonable criticism of the Lord Privy Seal, that the noble Duke should make some arrangement before the Third Reading to put this clause in some different form. It will be obvious to your Lordships, I think, that it would not do to first make a man pay for his timber, and then to punish him for cutting it. I do not think it is fair to make a man pay for a thing and then afterwards put a penalty on him for taking whatever advantage he can get from what he has paid for. But, at the same time, I think the objection might be met if the noble Duke would put the clause in something like this form—

"That the Land Commission should purchase the timber if they so thought fit, and that the tenant's annuity should be reduced in proportion to the purchase money put upon the timber."

I am merely suggesting this to the noble Duke. There is a very serious question in Ireland at this moment in regard to this matter; and if every tenant farmer who may purchase his holding cuts down his timber at once the whole country will be disafforested, and the very climate will be changed, a change which would deteriorate the character of the country. Then there is another point. Many holdings have trees round them for the purpose of giving shelter to cattle. Does not it reduce the value of a holding if a farm that is sheltered, or has got some shelter for the sheep and cattle in the way of trees is denuded of them, if the trees are suddenly cut down and the farm left open to some prevailing wind? That reduces the value of security, and part of the security provided by the tenant's holding, which really provides the security, is the timber upon it. The tenant has really no right to cut the timber until the 49 years are up, and that would meet the noble Earl's (the Earl of Kimberley's) objection, if the tenant did not do it, but I can only tell your Lordships he does do it, and will do it. As to the noble and learned Lord the Lord Chancellor of Ireland saying that the 1st sub-section of Clause 24, as now inserted in the Bill, will protect the trees, I cannot, with all due submission to him, see that there is any protection at all under that clause, because it would not be waste for the man to cut his own timber. This is his own timber, and how can a man commit waste if he is only cutting what belongs to him? I must say I fail to see how this sub-section can protect him; but, at the same time, I hope something may be done. If Her Majesty's Government will not accept the noble Duke's clause, something must be done to prevent this appalling disafforesting that is going on all over the country. Only £9,000,000 have been expended up to the present time on land purchase in Ireland, and you can already see a difference—a most marked difference—in the country. The whole of the timber upon farms sold has been cut away, and what the state of affairs will be after £30,000,000 more have been expended in land purchase it is not difficult to foresee. What will happen will be that, as far as timber is concerned, there will only be left that which is on the landlord's domains. I think it was the noble Duke opposite who referred to the fact that the landlords were to be removed by this Bill. Well, if they are removed you will not have a tree left in Ireland, and, therefore, I hope Her Majesty's Government will be able to do something in the matter which will carry out the object of the noble Duke.

LORD HERSCHELL: I think the noble Marquess is under a misapprehension of the effect of this clause as inserted in the Bill. In my opinion, it affords the most complete protection possible, because it provides that the proprietor shall not, without the consent of the Land Commission, do any act which would as between him and his landlord be waste. If a tenant were to cut down trees he would as between him and his landlord be unquestionably committing waste. Therefore, this clause provides that he shall not do such an act as that. It has, however, occurred to me in reading it, whether it does not go further than was intended, especially with reference to the phrase mentioned by the noble Marquess, with whose criticism I entirely agree, namely, that a tenant purchaser, under these circumstances, ought not to do acts which will diminish the value of the security. I doubt whether that limitation "which will diminish the value of the holding" ought not to be added to the 1st section of Lord Arran's Amendment, because one can conceive acts which would not as between a tenant at will and his landlord be waste which nevertheless it would not be unreasonable to make waste for the purposes of such a Bill as this, because all you want to do is to preserve the security. Therefore, I think there should be some such limitation as that introduced at the end of sub-section (a).

*EARL STANHOPE: I think there ought to be some further definition of the word "waste." There is no such definition in the Bill. If there were I assume that the noble Earl's (Lord Arran's) Amendment would cover the difficulty. I am sure that noble Lords who are not in any way connected with Ireland, but who know something of the condition of that country, will see the very serious evil which might arise from the wholesale cutting of timber, and there undoubtedly ought to be some protection against it.

EARL FORTESCUE: I venture to think it is very desirable that every facility should be given for preserving the few trees one sees in Ireland. The shelter they afford is very valuable, not alone to the holdings themselves, but in the case of wind-swept districts, to lands far beyond the limits of the properties of the small occupying owners on which they stand, and which are liable under this Bill to be separately purchased. One of the melancholy features in Ireland is the terrible scarcity of trees, and in many parts of the country the population do not seem to be aware of the value of the shelter which trees afford. We have heard a great deal about our afforesting parts of Ireland, but we are taking no precautions against the very limited number of trees in existence, which are of great use in many districts, being swept away in detail.

THE LORD CHANCELLOR: Does the noble Duke press his Amendment?

*THE DUKE OF ST. ALBANS: No; I shall be satisfied if the noble Lord the Lord Privy Seal will consider the matter between now and the Third Reading. I accept the Marquess of Waterford's suggestion.

EARL CADOGAN: I am afraid we cannot accept the clause of the noble Duke as it stands, but we will consider between this stage and the Third Reading whether the object which it appears to be unanimously felt in the House should be secured, namely, of protecting the trees in Ireland, can be dealt with either by some such alteration in Sub-section A., either in Clause 24, as has been suggested, or by the introduction of some other clause in an amended form.

Amendment (by leave of the House) withdrawn.

Clause 25.

Verbal Amendments made.

Clause 27.

*LORD CASTLETOWN: My Lords, the words I propose in the next Amendment which stands in my name are these:—After the word "law," to insert the words "or of mixed law and fact," in Clause 27. The object is merely a formal one, because, I think, all noble Lords will recognise in the case of appeals such as this, it is very often necessary in land purchase questions that questions of fact should be considered with questions of law. They are so inextricably intermingled as a rule that it is very difficult to keep them perfectly clear, and to deal only with the questions of law involved. I ven-

ture, therefore, to move the Amendment which stands in my name.

Moved, in page 22, line 2, after "law," to insert "or of mixed law and fact."—(*The Lord Castletown.*)

THE LORD CHANCELLOR OF IRELAND: This is a sub-section which was a good deal discussed in the House of Commons, and it was passed on the understanding, as I gathered, that the Judges who are to aid in the administration of the Land Code should only act for the purpose of deciding legal questions. That was the view taken upon it, and that is a matter upon which I think it is not desirable to cast any doubt. I think it is wide enough as it is drafted at present, in this particular sub-section which the noble Lord seeks to amend, for us to leave the drafting as it stands. Of course, any Judge to whom a question of law is submitted will apply his mind to it, with all its necessary surroundings, for the purpose of decision, and I do not think it necessary to amplify it by adopting this particular Amendment. I am guided in this by the fact that this was a clause which was very closely scanned in the other House of Parliament, and it was thought better not to make it wider than the present drafting goes. It is the sub-section which enables the Lord Chancellor to arrange that other Judges of the High Court shall be able to give their assistance in the decision of questions of law, and it is that particular section that the noble Lord seeks to amend by making it somewhat wider, and enable assistance to be taken from another category on the other side of the dividing barrier. It is, therefore, something in excess. I think we had better leave the drafting as it is. I notice that the noble Lord goes on and asks your Lordships to amend the last paragraph of the clause, but I will deal with that when we come to it. I think that in this particular clause we had better keep the drafting as it is.

Amendment (by leave of the House) withdrawn.

EARL CADOGAN: I have to move, in line 12, after "law," to insert "or of hearing any appeal." This is to enable any Judge of the High Court appointed by the Lord Chancellor to determine any question of law, and also to hear any appeals under this Act.

Moved, in page 21, line 12, after "law," to insert "or of hearing any appeal."—(*The Earl Cadogan.*)

LORD HERSCHELL: Does that mean an appeal on the facts or only on questions of law?

EARL CADOGAN: On questions of law and facts.

LORD HERSCHELL: Then does that give a new jurisdiction? Because I understood the noble and learned Lord opposite to say this clause had been very carefully considered, and that it was undesirable to extend the jurisdiction; but if you say "or of hearing any appeal," apparently you do largely increase the jurisdiction.

EARL CADOGAN: No; it is not increasing the jurisdiction.

THE EARL OF KIMBERLEY: Perhaps the noble Lord will tell us what the effect of this Amendment will be, because my noble and learned Friend beside me says it will have the effect of extending the jurisdiction beyond what is intended.

THE LORD CHANCELLOR OF IRELAND: The noble Lord who moved the Amendment just now does not present it exactly in the same point of view as the noble Lord who moved the last Amendment, because the point here is this:—

"Every Judge so nominated shall, during that time, have the same jurisdiction for the purpose of determining any question of law;"

that is, any question which might be reserved for decision—

"as the Judicial Commissioner for the purposes of the said Acts."

Therefore, we do not want to widen it. I do not think it is in the least necessary. Every Judge has to decide questions of mixed law and fact. They are so interwoven that they cannot be separated. It is merely a question of drafting; but now the noble and learned Lord comes and says that it will increase the jurisdiction. The provision for hearing the appeal would, of course, enable the Judge, who was occupying the position *pro hâc vice* of head of the Land Commission, to perform his functions as long as he is so acting, and to exercise his discretion in the cases brought before him.

*EARL SPENCER: As I understand the noble and learned Lord, there would be an appeal on facts, but I gathered from the opening remarks of the noble Lord opposite that the appeals were only to be on matters of law. These words would allow them to be brought on matters of fact as well.

LORD HERSCHELL: Is not the object of the noble Lord met by the next section, which provides that "the Lord Chancellor may nominate any Judge." Is not that sufficiently met by Sub-section 5?

THE LORD CHANCELLOR OF IRELAND: No; I think not. The Lord Chancellor would have to consider whether the case came under Sub-section 5, and he would have to deal with the case of a Judicial Commissioner being temporarily unable to act from illness or anything of the kind; for the time that he cannot sit and perform his functions that office is, of course, temporarily not in a position to work, and then Sub-section 5 would come in. Section 4 would come in whilst the Judicial Commissioner was engaged in other duties which would prevent him sitting in that Court. I think it is more a question of drafting, as my noble Friend very fairly presents it, than of actual substance, because everyone knows, and no one better than the noble and learned Lord opposite (Lord Herschell) that it is impossible for a Court to sit and decide a question of law without considering the surroundings. That is always done. Every Judge who knows how to do his business decides the point before him and gets on without the slightest difficulty; but if the drafting is changed here in this clause, I fear it would lead to controversies, misconceptions, and jealousies, which, I think, are not worth fighting about or discussing here.

LORD HERSCHELL: Do I understand that the noble and learned Lord proposes that the Amendment should be withdrawn?

THE LORD CHANCELLOR OF IRELAND: No.

Amendment agreed to.

Verbal Amendments made.

EARL CADOGAN: In line 24, I move to leave out the words "The Land Commission." I may explain with reference to this that when we discussed this section in Committee it was stated that the Land Commission would not be willing to be deprived of a share in this patronage. That, I believe, was the view of the noble Lords opposite, and I pledged myself that before the stage of Report we would do our best to ascertain the views of the majority of the Land Commission on the subject—whether they desired it or not. We have done so, and are informed that the majority of the Land Commission are not anxious for the patronage, and would prefer that the words "Land Commission" should be left out. For that reason I move their omission.

Moved, in line 24, to leave out "The Land Commission."—*(The Earl Cadogan.)*

*EARL SPENCER: I think I started the objection to this the other night, and I still retain the opinion I then expressed very strongly. The noble Lord the Lord Privy Seal undertook to obtain the opinion of the Land Commission, and he states that the majority of the Land Commission do not wish to have this task as it is invidious, but I venture to say that it is not a question of what the opinion of the majority of the Land Commission is on this matter, but a ques- of general principle. I maintain it is wrong on general principle, independent entirely of what the majority of the Land Commission may say, that a body who have charge of a large number of local officers should not have a *locus standi* when an organisation of the staff is to be made. It might be exceedingly unfair to the Land Commission that they should not be consulted. It may be true that the majority of the Commission do not wish to have this task, but I maintain that they ought to be consulted, because they are the persons who know best which men are efficient, and how they perform their duties. In a future Commission the majority of the Commissioners might think it exceedingly hard not to be consulted. I, therefore, still adhere very strongly indeed to the opinion that the omission of these words "the Land Commission," as proposed by the noble Lord the Lord Privy Seal is absolutely wrong, and I hope your Lordships will not agree to it.

*LORD CASTLETOWN: My Lords, I should like also to say a few words upon this matter before the noble Lord (Earl Cadogan) replies. I think it would be much wiser to leave the selection of the men you are going to trust in many important ways to the "Land Commission," as originally proposed. You use the words in the Bill that they are to be the men who are the "most qualified" for the posts, and surely the people who have the best opportunity of knowing, and who are most likely to know who are the most qualified are the Commissioners themselves. Although the majority of the Commissisners, as I understood the noble Lord the Lord Privy Seal to say, have stated that they consider it would be an invidious task which they do not care to undertake for them to go into this question, I think we must not attach too much weight to the "thin-skinnedness" of the Commission themselves upon this question. In any case they would have to be consulted. It is their task to find out the men who have worked best under the last two Acts, those of 1885 and 1887, and are the most qualified, and it is to those men in the future that we must look for the proper working of this Bill. Under the circumstances I think it would be very unwise to allow these words to be taken out of the Bill. They were put in in the other House after very careful consideration, on the ground that they were proper words and that it was a wise provision, and I cannot see any reason why they should be excluded now.

THE LORD CHANCELLOR OF IRELAND: I think there seems to be some misapprehension on the part of noble Lords about this matter which is not after all a very great or important one, or involving any principle. The power of patronage is thought by those who do not enjoy it, that is, who do not have to exercise it to be an agreeable one, but those whose duty it is to exercise that power know that though they may in doing so make many enemies, they will probably make few friends. Therefore it is not a thing to be slightly spoken of or carelessly imposed. I can quite understand the majority of the Land Commission here expressing respectfully their wish to be relieved from a position which I do not say is odious, but certainly is invidious, because they would have to make selections and rejections from a staff, as has been pointed out by the noble Earl, according to their knowledge of capacities and capabilities, and that is a task for which they would be content that others should be put in their place. All those are matters to be judged of; but the question remains, what is the best way of turning out a sound working clause; and I venture to think the soundest method of working, the best course to adopt, is to leave the Lord Lieutenant, as has been pointed out by the Lord Privy Seal, to make the requisite selections with the financial aid of the Treasury. It is obvious that the Lord Lieutenant must exercise that discretion in the same way as any Lord Lieutenant would do, that is by considering all the surroundings of the position, consulting those who he thinks can give the most useful advice, and, where he thinks that course deserves adoption, to use the very words of the noble Lord who has just sat down, "consulting the Land Commission." There is nothing in the Motion of my noble Friend to prevent the Lord Lieutenant consulting the Land Commission every day in the week if he likes, and as much as he pleases, and I have no doubt that in these matters the Lord Lieutenant will be pretty constantly in communication with the Land Commission, in reference to the appointments to be made. Is that not sufficient? Does it not meet every fair requirement to leave it open to the Lord Lieutenant to consult the Land Commission and everyone else he pleases in Ireland in making the appointments, without leaving it to the Land Commission to make the appointments, which might in extreme cases lead to something very like a "deadlock," if one can use such an expression. But with regard to the moderate appointments which would exist under the Land Commission, I can see no good or valid object in forcing on the Land Commission the duty of vetoing the appointment of persons to fill positions as may be necessary in the administration of the Land Department. I think it is a sufficient provision and a reasonable and wise course to leave the Lord Lieutenant free to consult the Land Commission or anybody else he pleases, and that is all my noble Friend proposes in his Amendment.

THE EARL OF KIMBERLEY: I think this raises a very important question, because as I understand it, an entirely new principle is to be introduced into our system of patronage. Having had to exercise it myself, I know there is probably no more disagreeable duty. At the same time I am not aware that important officers of the State can plead that they would rather prefer not to perform the duties of their office, because they happen to be rather disagreeable. That, I think, is not an argument of much weight. I am rather curious to know whether this is likely to be a system generally adopted. If so, we might see some very curious results. For instance, the noble Marquess opposite (the Marquess of Salisbury) might make arrangements by which he and the Treasury might determine the appointments now made by the Secretaries of State. That would be an interesting proceeding, and it would certainly relieve the Secretaries of State from the invidious task of making selections among the persons whom they know in their offices, and, according to the noble Lord opposite, would lead to very much better selections being made. Why there should be this particular arrangement introduced into Ireland I confess I cannot see. The Land Commissioners will have the best opportunity of knowing the persons who have discharged their duties well from their contact with the officers themselves, and it seems to me to be a reasonable thing that they should have a potent voice in the recommendations. I, therefore, cannot agree to the Amendment proposed.

On Question whether the words proposed to be left out shall stand part of the Bill, their Lordships divided:—Contents 31; Not Contents 74.

*LORD CASTLETOWN: My Lords, the Amendment which stands in my name on page 22, line 5, of Clause 27, embodies the same words which I sought to have inserted in the first part of the clause with regard to questions of mixed law and facts. As those words were not accepted there I cannot expect that they will be accepted now; but after the noble and learned Lord the Lord Chancellor of Ireland saying there is something that might be useful in my Amendment, perhaps he will re-consider this matter, and allow it to be dealt with on Third Reading.

Clause 27, as amended, agreed to.

Clause 28.

*LORD CASTLETOWN: The next Amendments are really all consequential, because they are all dealing with the same matter in this clause. Those Amendments were to leave out the word "Commissioner," and insert "Commissioners" in two places, to leave out "he is," and insert "they are," and then for the insertion of the same words "or of mixed law and fact." The object of this Amendment ts simply this. In the Committee stage of the Bill Lord De Vesci moved an Amendment, which had for its object the re-constitution of the Court to deal with Land Purchase cases. Unluckily, in my opinion, his Amendment was not accepted by Her Majesty's Government. They said it went too far and was too wholesale in its work. My opinion is that a strong Appeal Court should be formed to which any person who feels himself aggrieved by the action of the ordinary Court might have the power of appealing. For that purpose I would form an Appeal Court, consisting of the Judicial Commissioner for the time being, and another Judge, who may be nominated by the Lord Chancellor of Ireland, to act as an additional Commissioner, and two Purchase Commissioners either Land Purchase or Fair Rent Commissioners. I think my Amendment is a fair one, which ought to commend itself to your Lordships. Unluckily Her Majesty's Government accepted in the other House an Amendment of Mr. Lees I think it was, and subsequently Amendments which entirely subverted the arrangements originally come to, and made what I must call a very mixed and confused Court. As showing that the view of the Government was rather in favour of the Appeal Court being constituted as I am proposing, I would refer your Lordships to the speech made by Mr. Balfour with regard to the amalgamation, that was upon Mr. Lees' Amendment. But, unluckily, they were introduced into the Bill for some reason or other. The Land Department Bill was tabooed in the other House, and the result has been that a rather confused Court has been created. Not to weary your Lordships any longer over

this point, I will simply say this: The object of the Amendment is to create simply a strong and useful Appeal Court, so that any person among those aggrieved may appeal from the original Court to the Appeal Court which I propose to create. I have the honour to move the Amendment which stands in my name, and I suppose I may ask Her Majesty's Government to take them altogether, because they are practically consequential.

Moved, in page 22, line 14, after ("alone") to insert—

("Or of any two commissioners"); and in line 16, to leave out ("only") and insert ("or of mixed law and fact"), to leave out ("the") and insert ("two"), and to leave out ("commissioner") and insert ("commissioners (of whom one shall be the judicial commissioner appointed under the provisions of the Land Law (Ireland) Act, 1881, and another shall be a judge of the High Court nominated by the Lord Chancellor to act as an additional judicial commissioner under the provisions of this Act.)")—(*The Lord Castletown.*)

*VISCOUNT DE VESCI: Before the noble Lord the Lord Privy Seal answers I should like to say a few words. I trust Her Majesty's Government will give my noble Friend's proposals favourable consideration, and that they are prepared to accept them. These proposals are not, I venture to say, an entirely satisfactory solution of this vexed question of the constitution and method of procedure of the Court; but I think they are the best arrangement that could be arrived at considering all the circumstances, and the late period of the Session. No doubt your Lordships who have watched the progress of the Bill will have seen how, in all these matters, the Bill has been altered. It was altered by compromises, which are always unsatisfactory, entered into after the very confused and lengthy discussion which occurred in another place. Before I go strictly to the Amendments themselves, I wish to call attention to the Amendments which, as my noble Friend has said, I had the honour of proposing in the Committee stage of this Bill. The object of the proposal made in my Amendment was that the Land Judge should be brought into and absorbed into the Land Commission. Rather to my surprise, the noble and learned Lord the Lord Chancellor for Ireland, on behalf of the Government, did not address himself to the principle of the Amendment, but said the Amendment sought to make an entire change in the tribunal, and referred to the opinion of Mr. Justice Monroe, the present Judge of the Land Court. Before I leave that part of the answer, I will say that I think it is obvious the Government must have been in possession of the views of Mr. Justice Monroe when they inserted the clause which was in the Purchase Bill of last Session, and in the Land Department Bill of the present Session. I was taken rather aback, I must confess, not being an old Parliamentary hand, by what then took place, but I took this course: I wrote to Mr. Justice Monroe on my own responsibility, and I asked him if he had any objection to state, whether there was any reason on public grounds why the office of Land Judge should not be merged into the Land Department. I do not know whether that was a right course to take; it may have been an improper one, but I hope your Lordships will consider, under the circumstances, that I was justified in the course that I took. Mr. Justice Monroe, in his answer to me, stated that the duties of the Land Judge were many and onerous, but that he saw no reason why, under certain conditions and under certain circumstances, the Land Judge should not be a member of the Land Department, and I submit that the substance of Mr. Justice Monroe's answer ought to be embodied in whatever answer may be given by the Government, and that we should not be met with a *non possumus*. We should then be in possession of the views of the Government in full detail, and perhaps some satisfactory arrangement might be arrived at. To return to the Amendment of my noble Friend, although, as I stated before, it is not in my opinion a full and satisfactory one, and although it is really in the nature of a compromise grafted on to a compromise, still, taking it as it stands, affirming and strengthening the judicial element of the Land Commission, I think it is very much superior to the Amendment which has been put down in the name of the Lord Privy Seal. The clause as it stands is, in my opinion, a blot on this Bill. It is a great blot on a very great measure, which will rank in the history

of all similar European legislation as only second to the great Prussian land legislation connected with the names of Stein and Hardenberg, which regulated the old feudal land laws of that country. I ought to have mentioned before that I should have been in favour of taking a much stronger course, with the view of omitting this clause, so that the Government might be enabled to consider the question in the Recess, with the view to bringing in a new Land Department Bill which would be satisfactory to every Irish interest. But, failing that, I trust the Government will see their way to accepting the Amendment which stands in the name of my noble Friend.

EARL CADOGAN: My Lords, the noble Viscount is quite right in saying that this clause is the result, to a certain extent, of a compromise; but as he added that all compromises are unsatisfactory, and as he says that this Amendment is a compromise grafted on to a compromise, I am afraid I shall not be able to persuade him that this clause is satisfactory in itself. I think the strongest reason I have to give the noble Lord is that the constitution of this Court of Appeal, as it is formed under the Bill, has been arrived at, as the noble Lord says, as a compromise, or not actually perhaps as a compromise, but as the result of consultation between the two sides in the other House. That being so, it would be very difficult at the present stage, as I think the noble Lord will admit, to alter the whole course of the Bill. The Court now set up consists of five members, as my noble Friend knows, and if I understand him rightly he would add a sixth. There will be two legal members and one lay member in one division, and one lay and one legal member in the other division; and I am afraid, having so constituted the Court, we must keep it so. In some Amendments which come later on I have to propose an alteration where two Commissioners have come to a decision, and where it is necessary to provide for an appeal from two Commissioners instead of one. I am afraid I must tell the noble Lord I am not able to depart from the arrangement which we have made. Then with regard to withdrawing this clause and introducing a new Land Bill for the purpose next Session, I am unable to consent to such a reopening of the matter as the noble Lord proposes, and I must insist upon this clause remaining in the Bill, leaving it to Her Majesty's Government to deal in the future with any further matters which may arise.

*LORD CASTLETOWN: After what has been stated by the Lord Privy Seal, I will withdraw the Amendments, but I confess I should have liked to hear a little stronger expression of opinion on the part of Her Majesty's Government with regard to the introduction of a Land Department measure next Session. The introduction of such a measure would make the Bill, which is a great one as it is, a valuable and a working Bill. I may say that I have sold land under the two last Acts—1885 and 1887—but as long as this administration which is imported into the present Bill is kept going, I shall absolutely refuse to sell one single acre of land under it, and shall advise all my friends to do the same, because I do not think the system now adopted is either a sound working or a valuable system. I beg to withdraw the Amendments which stand in my name.

Amendments, by leave, withdrawn.

EARL CADOGAN: The next Amendment is in line 14. This is to provide, as I said before, for an appeal from two Commissioners. An appeal is provided in the clause from the decision of one of the Commissioners. This is to provide for an appeal from the decisions of two of them.

Moved, in Clause 28, page 22, line 14, after ("alone,") to insert ("or of any two Commissioners.")—(*The Earl Cadogan.*)

Amendment and consequential Amendments agreed to.

*LORD CASTLETOWN: My Amendment in line 21 comes next, to insert "all consequent duties and functions." It is in the same clause, and is to provide for the discharge of these duties by the Commissioners until the fair rent appeals lodged before the 1st of June in this year shall have been disposed of.

Moved, in line 21, after ("advances,") to insert ("all duties and functions consequent thereon.")—(*The Lord Castletown.*)

EARL CADOGAN: I see no objection to that Amendment. We will accept it.

Amendment agreed to.

Clause 28, as amended, agreed to.

EARL CADOGAN: My Lords, I have given notice of a Motion to leave out Clause 29, but, after consultation with one of my noble Friends, it has occurred to me that possibly I may suggest an alteration in the present form of the clause which would meet the views generally of the House. I propose to insert the words ("of delegation") after the word ("powers.") Clause 29 would then read—

"The powers of delegation conferred on the Land Commissioners under the 43rd and 44th section of the Land Law (Ireland), 1881, shall not apply to the discharge of duties arising under the Land Purchase Acts."

I think that is pretty clear. It hardly requires any explanation.

Moved, in Clause 29, page 23, line 7, after the word ("powers,") to insert the words ("of delegation.")—(*The Earl Cadogan.*)

*EARL SPENCER: I should like to have a little more explanation of that, because I object extremely to the proposal to leave out Clause 29; and, as far as I can make out, merely inserting the words ("of delegation") would leave the clause very nearly in the form in which it now stands.

EARL CADOGAN: It takes away the difficulty of settling the advances which under the clause the delegates might have been unable to sanction.

LORD HERSCHELL: As far as the clause prevents them delegating their powers, it will have the same effect under the noble Earl's Amendment, as I gather. The powers of delegation, as I understand, are not to be exercised. But, if so, what does it leave to them?

EARL CADOGAN: It relieves them from all duties which are not arising under the Land Purchase Acts. It allows them to appoint delegates for certain purposes which are mentioned, but it does not allow them to delegate their powers generally.

*THE MARQUESS OF WATERFORD: Perhaps I may explain it is for sanctioning advances and registering titles.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clause 32.

Verbal Amendments made.

Clause 35.

Verbal Amendments made.

A NOBLE LORD: Will the noble Lord explain why he proposes to leave out the words ("last preceding Census")? I think that will lead to some confusion. It must be definitely determined how the population is to be ascertained. It may fluctuate.

EARL CADOGAN: According to the last Census the population had decreased since the previous Census, on which this Bill was drawn, and the valuation remained the same, although consequently the rates had to be raised.

LORD HERSCHELL: If these words are to be struck out there is nothing to determine how the population is to be ascertained.

EARL CADOGAN: I think the noble and learned Lord will find the definition is given in another clause. The expression "population" means the population according to the last Census for the time being. It is in the definition.

Moved, in page 26, line 9, to leave out from "population" to "gives."—(*The Earl Cadogan.*)

Amendment agreed to.

EARL CADOGAN: The next Amendment, to substitute 10s. for 6s. 8d., is necessary for the same reason that I stated before—namely, that the rate has had to be raised.

Moved, in line 10, to leave out "6s. 8d." and insert "10s."—(*The Earl Cadogan.*)

Amendment agreed to.

Clause 35, as amended, agreed to.

Clause 36.

Moved, in page 27, line 12, to leave out "or to the Land Commission."—(*The Earl Cadogan.*)

*EARL SPENCER: My Lords, I should like to say a few words on this Amendment. I am not quite certain whether my remarks may not go rather further, perhaps, than the actual words which my noble Friend proposes. I was unable to be here on the Second Reading, or I should have made some reference to this which I consider one of the most important parts of the Bill which Her Majesty's Government have introduced—I mean the part of it affecting congested districts. Now, it

was said, I think by the noble Marquess opposite, that this was the first attempt any Government had made to deal with this subject. I am told that the same statement was made by the Lord Privy Seal. I venture to disagree with my noble Friend in that particular, for in the Land Act of 1886, which Mr. Gladstone's Government introduced, we had a most important clause dealing with this matter. That clause was to this effect: it was to enable a Local Body to become the purchasers and hold the land instead of selling to the small proprietors. Now, I think your Lordships will agree with me, or any noble Lord, at all events, who understands what a congested district in Ireland is and what is the character of the holdings in such districts, that it would be perfectly futile to expect that the provisions of this Act will enable those small tenants only paying perhaps rents of £1 and 30s. a year to buy individually under the Act. You will, therefore, do nothing if you do not provide for that, and you will not be able to deal with what is one of the most difficult and dangerous characteristics of Ireland, namely, the existence of an enormous number of small holdings occupied by persons who cannot possibly out of their holdings meet even their rent, and who depend upon other means for paying that rent, sometimes coming to England, where they get money at harvest and in hay-time. Those persons are certainly a source of danger to Ireland, and ought to be dealt with. Unless you are able to sell an estate in a congested district to some Syndicate or some Public Body you will not be able to deal with this great evil. That is an opinion which I have deliberately formed and must deliberately express, and I believe if Her Majesty's Government expect under this Bill that any great number of these small tenants will purchase they will be disappointed. I was going to ask my noble Friend whether such a course as I have pointed out can be taken under this clause. I think it would be of great importance, but I am not sure whether I understand it correctly or not. It is possible under this sub-section that the Congested Districts Board will be enabled to advance money for the purpose, and that either they or the Land Commission will be able to hold the property while amalgamation goes on. If that can be done, and I contend it ought to be done, a great evil will be met. I think it is a matter of great importance, and I venture for that reason to make these observations which, had I been able to be present, I should have made on the Second Reading.

EARL CADOGAN: I am very unwilling to interrupt the noble Earl, but I ought to have done so sooner in order to point out to him that he has not given me the opportunity of moving the very next Amendment. This Amendment is only a drafting Amendment which is now before the House, namely, to leave out the words "or to the Land Commission;" but there is another which I was about to move for the insertion of the words "or that he transfers such interest to the Land Commission." The noble Earl will see that the two taken together really form one Amendment, and I would have pointed that out sooner, but I was unwilling to interrupt my noble Friend.

LORD HERSCHELL: Would this clause enable the Congested Districts Board to acquire a number of these small holdings with the view to dealing with them in the way suggested by the noble Earl? No doubt it enables them to give aid for purposes of migration or emigration on condition that the tenant transfers his interest in the holding to a neighbouring holder or to the Land Commission; but when he does so, what is the position of the Land Commission in relation to it? Is it to become the tenant, or is it intended that the Land Commission shall become the purchaser?

EARL CADOGAN: Under my Amendment the Land Commission would become the purchaser, because it reads then, "that the holding be amalgamated, or that he transfer such interest to the Land Commission."

LORD HERSCHELL: That would be that his interest is to cease; but is there any power in them to get out of the position they will then be in, either by purchase or in any other way? I do not see when the County Council have become transferees of the tenant's holding what they are to do with it. Are they to become the purchasers and sell it again?

*THE EARL OF ERNE: Perhaps I may be permitted to say a word on this question, as the words now proposed to be put in by the Lord Privy Seal were put in at my suggestion in Committee. The object of my Amendment was for the purpose of facilitating amalgamation in case the Congested Districts Board wished to amalgamate certain holdings, and they might not be at the moment able to negotiate with one of the adjoining tenants. Similar latitude is given to the Land Commission to purchase under this same clause, Sub-section 3, line 36. If these words are not inserted it appears the Congested Districts Board might be prevented altogether from carrying out the amalgamation which they wish and from promoting the migration or emigration to which the clause is directed, because it all depends upon the holdings being amalgamated. But if the Land Commission is able to accept the transfer of the holding with the view to facilitate the amalgamation the difficulty, it appears to me, would be got rid of.

THE EARL OF KIMBERLEY: I suppose the effect of the whole clause with the other sub-section is that when this land has been transferred to the Congested Districts Board they will then move the Land Commission to take certain steps, and among those I see that as soon as possible—it is in the Sub-section (b.)—the Land Commission is to endeavour to sell the same to one of the adjoining occupiers. Supposing the Land Commission, as my noble Friend seems to think is not improbable, find it impossible to sell to one of the adjoining occupiers, the necessary result will be that the Land Commission will hold this land until they do find a purchaser. That must be the result; I do not see any special provision for their holding it, but it seems to follow as a matter of course.

THE LORD CHANCELLOR OF IRELAND: This is one of the Amendments taken on the last occasion at the instance of Lord Erne, and I think the powers have been taken from the Land Department Bill which enabled them to deal with the expenses of management in a case like that contemplated, where a holding might be on their hands without purchase either by a neighbouring tenant or otherwise. There is machinery provided in the Bill.

Amendment agreed to.

EARL CADOGAN: The next Amendment belongs to this matter, and has, in fact, been discussed.

Moved, in line 13, after ("amalgamated") to insert ("or that he transfers such interest to the Land Commission.") (*The Earl Cadogan*).

Amendment agreed to.

LORD HARLECH: The next Amendment stands in my name. I gave notice of it in Committee, but withdrew it then on the promise of the Lord Privy Seal to allow it to be proposed on Report. It is very simple, namely, to continue the power which under the Land Act of 1881 is given to the landlord. Under that Act the landlord has the right of pre-emption, and it is to give him the same right under the provisions of this Bill.

Moved, in page 28, after line 18, to add new Sub-section—

"(8) Where any such transfer or purchase is made of a holding in respect of which rent is payable, such purchase or transfer shall be subject to the like right of pre-emption in favour of the landlord as he now has under the Land Law (Ireland) Act, 1881, section one."—(*The Lord Harlech.*)

EARL CADOGAN: I am afraid it is impossible to accept this Amendment. It appears naturally to be open to the same objections as those which were found in Committee. The landlord retains his right of pre-emption before the purchase of the holding by the Land Commission, and after the purchase it would be inconsistent to allow him the exercise of that right. I cannot see how it is possible to accept the Amendment, and I hope the noble Lord will not press it.

Amendment, by leave, withdrawn.

Clause 36, as amended, agreed to.

Clause 38.

Verbal Amendments made.

Clause 41.

THE EARL OF CAMPERDOWN: My Lords, I had an Amendment upon this clause with regard to the definition of

the "annual value" of a holding, to strike out on page 32, lines 1 to 16, but I do not propose now to move it.

*THE EARL OF ERNE: In that case I presume, my Lords, that mine comes next. I move to leave out, in lines 5 and 6 ("the average amount of abatement allowed by the landlord"). It will be in your Lordships' recollection that in Committee the Marquess of Waterford moved Amendments of a similar nature to these which stand in my name. However, the form of those Amendments was not approved, and I venture to think the words I have placed on the Paper will carry out the object better than those of the Marquess of Waterford. The words which I move should be omitted are open to objection from more than one point of view. If you once recognise abatements given by landlords as a factor in calculating values, you encourage, in the first place, terrorism upon landlords to make abatements; and, again, you are practically setting up a fresh standard of valuation in Ireland, for the landlord's abatements will unquestionably be considered in fixing the rents at the end of the judicial term, and the rent will be reduced in proportion to those abatements. Then there is the danger of collusion. I do not suppose that a case of that kind would often happen; but, still, they may do so; and, unfortunately, we have had experience of what has happened under the Arrears Act, when the tenants and landlords have been found combining to defraud—there is no other word for it—the Exchequer; and a case of this kind may possibly happen; a landlord may say to a tenant, "Give me a higher price, and I will make you such and such abatements." Then, lastly, it appears to me that the retention of these words will, in nine cases out of ten, do away with tenants' insurance; and it does seem rather absurd to create a complicated piece of machinery like this in Ireland, and then, by two or three words in a definition clause, to do away with it entirely. I beg, therefore, to move the omission of these words.

Moved, in page 32, lines 5 and 6, to leave out the words ("the average amount of abatement allowed by the landlord.")—(*The Earl of Erne.*)

*THE MARQUESS OF WATERFORD: Before the noble Lord answers my noble Friend behind me, I would like to say a few words. This Amendment was originally proposed by me in a different shape, as my noble Friend says; and he has now moved it in another, and, I think, a better form, with the view of meeting the objections of the noble and learned Lord who spoke so ably upon it in the Committee stage of the Bill. But, my Lords, I do not think Her Majesty's Government could have been aware of the effect of these words, "the average amount of abatement allowed by the landlord," being inserted; and for this simple reason: that, as my noble Friend has stated, they would, after creating the most complicated machinery that it is possible to conceive in Clause 8, absolutely sweep away the whole benefit of that clause, if there is any benefit in it. I am myself opposed to insurance, and I told your Lordships so on the Second Reading, when speaking in reference to the calamity clauses, one of which is provided for by this insurance. But although I am opposed to insurance, I am a thousand times more opposed to the sweeping away that insurance by a side wind by means of the introduction of these words into the Definition Clause, which, as I think, sweeps the insurance away entirely, and, at the same time, puts into the Bill a most dangerous provision, as my noble Friend has pointed out, which would, in fact, establish a new form of valuation in Ireland. It will establish a valuation based either upon the kindness of the landlord or upon the terrorism he may be subjected to, and it would be most dangerous in every respect that such a form of valuation should be introduced. My noble Friend has alluded to collusion. I need not trouble you on that point, but you are aware that under the Arrears Act there was some collusion. I do not think myself there would be much collusion, but still this is a direct incentive to bad tenants and landlords to take advantage of this clause to cheat the Government. Your Lordships are not aware, perhaps, of the very small sum it would take in the way of abatement to sweep away the insurance. In the case of an 18 years' purchase it would only take a 5 per cent. abatement to sweep away the entire insurance. In the case of

a 17 years' purchase it would only require 10 per cent., and 15 per cent. on 16 years, the percentage increasing as you get to a lower scale, though I think you will admit that 16 years' purchase is nearly low enough. But there is one point which my learned Friend did not raise at all in the Committee stage. It is this: That tenants are generally forgiven their arrears, or rather, if a tenant purchases, the landlord is bound to forgive all arrears of rent due. That is the first arrangement upon the application to purchase. The landlord says, "I will forgive you the rent due." Those arrears vary from one year's rent, which it always is at the very least, up to five years' rent all over Ireland. Now what would be the case? These arrears of rent must be taken into consideration as an abatement. What are they but an abatement? What better abatement can a man receive than sweeping away five years' arrears of his rent? I do not think that can ever have occurred to Her Majesty's Government, but I believe the fact is they allowed these words to be inserted in the Bill at about 2 o'clock in the morning when everybody must have been extremely tired. I am sorry to detain your Lordships' but I should like to point out to you the effect of putting in these words. In the case of abatements taking the arrear of rent forgiven. Just consider what the effect would be. Taking a gross rent of £100 for a holding or a number of holdings, let that gross rent be sold at 13 years' purchase. That would be £1,300. The share of the landlord's taxes would be 5 per cent. I think that is a very liberal computation. That would bring the annual value under Clause 8 down to £95. If you deduct a year-and-a-half's arrears, I think my noble Friend will agree that would be a very small arrear in Ireland, that would amount to £150. Then, if you divide that over five years, that would amount to £30 a year to be deducted from the £95. Therefore you get £65 as the annual value. If you multipty the £65 annual value by 20, you will find it will come to £1,300 exactly, that is to say, exactly the amount of the advance. Under Clause 8 it states that when an advance is less than 20 times the annual value there is to be no insurance. If you take a purchase at 15 years, one year's arrears will sweep away the whole insurance. I will ask your Lordships how many cases are there in Ireland where there are not one year's arrears? And at 17 years' purchase it only requires six months' arrears to sweep away the whole insurance. And I believe, under the Ashbourne Acts, something like an average of three years' arrears have been forgiven, these words, if kept in the Bill, would do away entirely with all the machinery provided in Clause 8. As I said before, I am entirely opposed to doing away with a thing by a side wind, and by a most objectionable side wind, when the thing could have been done by moving the rejection of Clause 8. Then there is another element of obscurity in this clause. Although the poor rate, county cess, and so on, are to be arrived at by taking an average of five years, there is no average for landlord's abatement, and the landlord's abatement may go back to the year 1848, the time of the Famine, or, possibly, to the Flood. There is no time arranged when the landlord's abatement is to begin to be taken into consideration. I think that must be a mistake in the clause. Her Majesty's Government will, I hope, accept the Amendment of my noble Friend. It is, as your Lordships see, worded rather differently to my Amendment. As it was drafted the clause provided for an application to the Land Commission to fix the annual value to any man who had not had a judicial rent fixed. This Amendment gives the power of application to the Land Commission to both judicial and non-judicial tenants. I hope sincerely Her Majesty's Government will agree to the omission of these words, which if retained, will I am sure, lead to the greatest possible confusion in the future.

EARL CADOGAN: We have carefully considered the matter since the Committee stage, and the arguments in favour of the Amendment of the noble Lord have been stated with such foree that I think I need not add to them. We are prepared to accept the Amendment he proposes, and for the reasons which have been so ably stated to your Lordships.

LORD HERSCHELL: I regret to hear the announcement which the noble Earl has made on behalf of the Government, because it certainly has struck me that

some of the reasons given by the noble Lord (the Marquess of Waterford) were founded entirely on a misapprehension. He spoke of arrears forgiven as if those arrears were an abatement made by the landlord, and cases of that kind constituted the illustrations he gave. Now, arrears would not come within the express abatement allowed by the landlord. The landlord does not allow an abatement simply because his tenant does not pay him. It means simply remitting part of the rent and discharging the tenant from his debt. Therefore none of the rent in arrear would be taken into calculation at all in estimating the annual value, or whatever the term is, that is provided for. I certainly think the noble Marquess was right in one point. He justly pointed out that there ought to be a fixed term provided for the landlord's abatement. So far I went with his argument. You provide five years in the other case, and you ought not in this case to go back for all time, possibly, so far as the clause itself goes. But as regards the other matter it seems to me to be a complete misapprehension to suppose that these arrears would be taken into account in ascertaining what would be the average abatement allowed by the landlord. My objection to these words being omitted is this. I desire to see this Bill work; in order that it shall work the tenant must come in and buy, and if you so alter it and so hamper its working that the tenants will be prevented doing so you will destroy its object. You are here cutting out a provision in the Bill which is vital to it; and while, on the one hand, I do not believe that the presence of these words will do the landlords any harm, on the other it will prevent tenants buying and coming under the operation of the Bill, and so cripple it as an effective measure. If you cut out these words the result must be this. If the tenant has been in the habit of receiving abatements upon the rent from his landlord, the purchase money he will have to pay will much more nearly approach the amount of the rent which he would have had to pay before, and will even exceed it, and it will be the reverse of an inducement to him to come in and buy. It is really for that reason, wishing to see the Bill made a workable and valuable measure, and that its provisions should act as an inducement to the tenants to come in and buy, that I oppose this Amendment.

*THE EARL OF SELBORNE: I cannot quite agree with what my noble and learned Friend has stated about arrears being altogether excepted from the word "abatement" here. I agree that if there is an arrear in regard to which there has been no settlement and which has not been remitted or waived, then ther would not be an abatement; but if in any year by arrangement between a landlord and tenant arrears have been remitted or waived, I think that would be an abatement, and I do not think that ought to be taken into account.

*THE MARQUESS OF WATERFORD: May I be allowed to ask the noble and learned Lord one question? If there were five years' arrears of rent due and forgiven, how is that to be treated in considering what abatement has been allowed by the landlord? As the noble and learned Lord (Lord Selborne) pointed out just now, the arrears forgiven will be counted as an abatement, and they must be forgiven before an application to purchase is signed. There is nothing in the Act which obliges the arrears to be forgiven, but they are as a matter of fact always forgiven when a tenant signs his application. Does the noble Lord mean that will not be considered an abatement? It is a distinct abatement, and the landlord would wipe out the amount by saying, "I will forgive you this rent and you can count it as an abatement and, therefore, so much to the good in fixing your annual value."

LORD HERSCHELL: I should say the mere fact of the arrears being due would show that there had not been any abatement; but if by the operation of this Act the rent was *ipso facto* remitted, that would not be an abatement within the meaning of the section. The argument may go to show that the section needs some amendment. I do not deny that; but I only wish to point out that if you strike out the words instead of amending them, the result, in my opinion, will be to cripple the Bill.

LORD HARLECH: I should like to point out to the noble and learned Lord that abatements have been granted by landlords during periods of distress, and I do not know why those cases should not be taken as abatements; because the

"average" amount of abatement is to be taken.

THE LORD CHANCELLOR OF IRELAND: I think the noble and learned Lord who spoke just now cannot quite have had present to his mind at the time he made his criticism exactly the part that is played by this definition in the scheme of the Bill. When the noble Earl sitting opposite (the Earl of Kimberley) spoke on the Second Reading of the Bill, this was one of the points he criticised and addressed himself to, and he indicated that it was desirable to leave it in an elastic way—not to lay down definitely that there should be one method of decision in cases of judicial rents and another in cases of non-judicial rents, but to leave it in a simple way to the Land Commission.

THE EARL OF KIMBERLEY: The noble and learned Lord is not referring exactly to what I said on this point. No doubt he is referring to what I said on another clause. What I said was that the Commissioners were not empowered to fix the amount in case it was a judicial rent, and I suggested that it would be better that they should have power to fix the rent in both cases.

THE LORD CHANCELLOR OF IRELAND: It is very hard to see how that fits in with the objection taken just now by the noble and learned Lord (Lord Herschell). As I understand the point taken by my noble and learned Friend is that the Amendment moved by the Earl of Erne will have the effect of interfering with the working of the Bill. That is the substance of the objection, and he illustrates that by saying that it will put the tenant in a difficult position if this element of subtraction is struck out of the Bill, and that there may possibly be fewer advances made to the tenants than he would like. I have considered this Amendment from that very point of view of the object of the Bill, and I have arrived at the diametrically opposite conclusion. I think these are objections which might have been urged to the Bill as drafted, but that they are met by this Amendment moved by the Earl of Erne and accepted by the Lord Privy Seal. This, in my opinion, is calculated to leave the measure much more workable than it was before, and I look upon it as a valuable contribution to the workability of the Bill. I look at it entirely from that point of view, and I venture to say that the criticisms of my noble and learned Friend are not matters which commend themselves to my mind as conducing to the general workability of the Bill. With regard to what fell from the noble Lord (the Earl of Kimberley) on the Second Reading of the Bill, I think it will be seen that this Amendment is a substantial advance, at all events, in the direction he advocated, and upon what he regards as the scheme of the Bill, and it is solely as a contribution to the workability of the Bill that I welcome it.

THE EARL OF KIMBERLEY: I assure my noble and learned Friend opposite that I had nothing in my mind of the kind upon the point he refers to. He will find at the end of the first clause, on page 32, that—

> "Where an advance applied for has been sanctioned and a judicial rent has not been fixed for the holding and the purchaser applies to the Land Commission to determine the annual value of the holding."

That is not the point which is now referred to, but that is the point which I spoke upon then, and all I said was that I thought it was a pity there should not be a power for the Commissioners to fix the rent upon the application both of the purchaser and the tenant, even though the rent be not such judicial rent. That is not the point raised by my noble and learned Friend. So far from being elastic, with great deference to the noble and learned Lord, I cannot really see what he means by its being elastic. There is nothing elastic in it. It simply strikes out one of the deductions to be made in ascertaining the annual value.

THE LORD CHANCELLOR OF IRELAND: The two things must be taken together. It is impossible to take this Amendment by itself; it must be taken in connection with the next.

THE EARL OF KIMBERLEY: I have not looked at the next Amendment, and I do not know what its effect may be; but I see no difficulty in understanding this Amendment. It is simple, direct, and most intelligible as expressed. The Amendment relates to this: the Bill as it stands says that in calculating the annual value for the purpose of this Guarantee Fund you are to take into consideration the average abatement

which the landlord may have made. Now, an abatement cannot be arrears unless they have been forgiven, and it cannot be arrears which are struck off by the operation of the Act. That is not an abatement made by the landlords. We all know what an abatement is. Suppose you have to receive £100 from your tenant and you take £80; you give him a discharge for the whole £100. The objection to the Amendment is this: under Clause 8 the tenant has for five years to pay an additional sum towards his Guarantee Fund in any case where the number of years' purchase is under 20; of course, if you by the operation of this Amendment raise the annual value, you will make the tenant pay a larger sum for those five years than he would under the Bill as it stands. I objected extremely to Clause 8 when we discussed it on second reading; but it seems to me that the operation of this clause now would be, with regard to the Guarantee Fund, making the tenant pay during those five years beyond the terms fixed. It would go distinctly against the working of the Bill, for this reason: that if you make the tenant pay this additional sum it will operate as a disadvantage to him for five years, and will deter him from purchasing. That is the operation of the clause as it stands, but the Amendment makes the clause much more burdensome and the obstruction to the working much greater. It seems to me distinctly against the policy of the Bill, and I would ask Lord Waterford and other noble Lords who take the same view, whether it will not have an effect which they do not desire, namely, to deter purchasers. The noble Marquess thought there ought not to be this guarantee at all, and I am much disposed to agree with him if it is levied on the tenant in the way it is put here; but if you put in this, you will simply interpose an obstacle which we shall all regret, to tenants purchasing under this Bill.

THE EARL OF CAMPERDOWN: I ventured to say a few words in Committee on Clause 8, and I said I should move an Amendment when we reached this stage. I did draw an Amendment, but, on re-consideration, I withdrew it, because I found on further considering it that it would not work. But I still have the very strongest objection to this principle of the landlord's abatement. The object of ascertaining the annual value is, in the first place, to enable the tenant to know what he is going to pay, so that he may know what will be expected of him when he enters upon the purchase. By introducing this principle of landlord's abatements it would be perfectly impossible for him to know what he would have to pay until he had gone before the Commissioners. That was the first objection, and, as it seems to me, a fatal objection to the introduction of this proposal. Now, the object of ascertaining the annual value is altogether with reference to the 80 per cent. of the annual value, which is to be paid by the tenant during the first five years after he has made his purchase. The noble Lord who has just spoken says that he objects to that 80 per cent., because, he said, it was a very high payment for the tenant to make, and it would probably militate against the operation of the Bill; but by making this provision for the landlord's abatements it will militate against the operation of the Bill still further. If your Lordships' object is to cut down this 80 per cent., by all means do it, but do it in some other way than this. As your Lordships know, abatements by landlords are not given only in Ireland, but in England and Scotland also, and abatements are given in virtue of certain circumstances which very frequently are merely of a temporary character and have nothing to do with the permanent value of the holding; and in no Act of Parliament can you find any case in which the value either of a tenancy or of a property is made up by a calculation, part of which is an abatement given by the landlord. If your Lordships were to consent to the introduction of this very fallacious principle into an Act of Parliament, I do not know to what consequences it might lead. If the object is to diminish the payment of the tenant, by all means diminish that payment; if 80 per cent. is too high, take 60 per cent., or 40, or whatever you choose; but do not make a calculation which is really founded upon a fallacious principle altogether. It is for that reason that I think the Government have taken a wise course in this matter, and I hope they will

adhere to the decision at which they have arrived.

Amendment agreed to.

*The Earl of Erne: Then, my Lords, the next Amendment is, as has been pointed out by my noble and learned Friend the Lord Chancellor of Ireland, to make this clause applicable to the judicial and non-judicial rents alike; at present it only applies to the non-judicial rents.

Moved in page 32 line 9, leave out from ("but") to ("applies") in line 11 (both words inclusive), and insert ("except that after the advance applied for has been sanctioned the purchaser may apply.")—(*The Earl of Erne.*)

Earl Cadogan: I am prepared to accept this Amendment. I understand its meaning to be that as soon as an advance has been sanctioned the purchaser may make application, whether he has had a fair rent fixed or not. I would, however, ask my noble Friend to allow me to suggest some drafting Amendments, that is to say, to leave out "except," and insert "provide," and after "and," to introduce "thereupon."

*The Earl of Erne: I have no objection.

Amendment, as amended, agreed to.

Clause 41, as amended, agreed to.

Bill to be read 3ª on Monday next, and to be printed as amended (No. 229.)

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 209.)

SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR of IRELAND: My Lords, I should hesitate to ask your Lordships to afford a Second Reading to an important Bill of this kind at so late an hour, but that I have ascertained from noble Lords who take a very great interest in this question, and have especially devoted themselves to its study, that it would be convenient that its consideration should be taken to-night, and that I should name the Committee stage for some later date, in order that they may have a full opportunity of discussing the subject and of putting down any Amendments they may think right. I trust that course will be agreeable to your Lordships.

The Earl of Camperdown

The Bill is no novel measure, in the Parliamentary sense of the term; it has twice been presented to Parliament—that is to say, in 1889 and last year—and it has been the work of my right hon. Friend the Attorney General for Ireland, Mr. Madden, who, I venture to say with confidence, is the greatest authority on this question in Ireland. It has also been considered by those best qualified to deal with it as experts, and the result is now before your Lordships. There is a very complete, though not long, explanatory memorandum attached to the Bill, and, as that is in the hands of your Lordships, I venture to think that any statement I might venture to make at the present stage of the Bill, and at this hour of the evening, would be merely a cutting down and an attempt again to shorten that memorandum. In the Land Purchase Bill of 1885, which I had the honour of presenting to your Lordships, this subject was glanced at rather than dealt with. Provision was made in Section 14—I think it was—of that Bill that on the execution of a vesting order or conveyance under that recent Purchase Act, a copy of it should be transmitted to the Clerk of the Peace of the county in which the property was situate, for the purpose of local registration; and I remember well that on the occasion of the introduction of that Bill, I was pressed by noble Lords connected with Ireland and taking an interest in the question to provide adequate machinery for carrying out that direction for local registration. At the time that Bill was introduced it was obvious that there was much urgency in its passing, and I did not see my way, though I recognised the importance of the subject, to endangering the passing of the Bill by encumbering it with the requisite machinery clauses, and I think I was right, although, as I have said, I quite recognise the high importance of the subject, and the great desirability of passing clauses for that purpose at the earliest possible moment. The Bill now presented to your Lordships contains all the requisite machinery for carrying out the local registration which was glanced at in the Purchase Act of 1885 in the section to which I have referred. There are other matters which at a later stage

I shall be prepared to detail to your Lordships for providing an adequate, cheap, and working system of land registration in Ireland. This is a matter of importance, and it is now more than ever necessary that there should be an adequate scheme prepared for local registration in Ireland which will work cheaply and simply. At a time when a Bill like that which has just passed through the Report stage of your Lordships' House is becoming law, and when it may be expected that there will be a large increase of small proprietors in Ireland, I trust it will be of especial convenience and value now to accord a Second Reading to this Bill. I believe it will be for the convenience of such of your Lordships as take special interest in this question, that I should not name too early a day for the Committee stage, and I would, if it falls in with the view of your Lordships, suggest Monday week, when, I think, some noble Lords may desire to take the opportunity of discussing the subject, and they will also be able to move any Amendments which they may think the measure requires.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor of Ireland.*)

LORD HERSCHELL: My Lords, no doubt this is a measure of great importance, but I certainly do not intend, after the noble and learned Lord's introductory speech, to detain your Lordships on the present occasion by discussing any of its details. There is, however, one part of it which I think, if I understand it rightly, may lead to complication, and is to my mind somewhat extraordinary legislation. Your Lordships will be aware that the question of the devolution of real estate has often been considered in this House, and there has, no doubt, been considerable difference of opinion upon it. I have always taken the view that it ought to be assimilated to the devolution of personal estate, that in cases of intestacy it should no longer go to the heir, but be passed to the personal representatives and be dealt with in the same way as personalty. In the Bill, as introduced by the noble and learned Lord, this provision is made, as I understand it, that where any land is purchased under the Land Purchase Acts, the present law of inheritance shall cease, that the land shall go to the executors and be distributed in the same way as personalty; but that where any land, though registered, has not been purchased under the Purchase Acts, the old law of inheritance is to remain. So that you will have the land in Ireland divided into two classes; land which was at one time or other dealt with under the Land Purchase Acts, where the law of inheritance is abolished, and land which has not been dealt with under the Land Purchase Acts, and as regards which the old law continues. Now, that seems to me to be an extraordinary and anomalous course to adopt. The present law of inheritance may be good or bad—a measure to assimilate the devolution of estates to that of personal estate in the case of intestacy may be good or bad; but it strikes me that the same principle should be applied to all land, and that you should not make this division into two classes, and deal with one class in one way and with the other in another. I cannot help thinking it will lead to great difficulty hereafter. A person is possessed of property: to whom it is to go in the case of an intestacy will depend, as I understand, upon how it was purchased 20, 30, 40, or 50 years before. If it was purchased under the Land Purchase Acts, it will have to be distributed like personal property; if it was not, then the old law is to prevail, and it is to go to the heir. It is very desirable that a person in possession of property should know how it will go if he leaves no will when he dies, but that will all depend upon the result of an investigation with regard to the dealing with land which he may have only bought the year before, but which 20 or 30 years previously had been purchased under the Land Purchase Acts. I cannot help thinking that such a provision as that requires serious consideration, and that it will lead to the gravest complication if such a change in the law is introduced in this piecemeal manner, because, as I have pointed out, it must be then very difficult for anyone to know what the devolution of his property will be.

*THE EARL OF BELMORE: As I understand, the noble and learned Lord has postponed his full explanation to your Lordships until we go into Committee on the Bill. No doubt some

noble Lords who have for the last two years taken great interest in this subject, and have examined the measure very carefully, will be glad upon that occasion to make some observations. Meanwhile, we propose to put down a limited number of Amendments, which I have no doubt will be carefully considered, and therefore I do not wish to say much upon this occasion. There is, however, one point on which I would like to make a remark, and that is, that while under this Bill the titles of tenant-purchasers will be compulsorily registered, those of the vendors will only be registered by the Court on the application of the purchaser. I confess, if it were a practicable thing to do (and I agree that possibly it may not be practicable), I should have liked to have seen the position of the purchaser and the vendor exactly the same, and that the vendor's title should be compulsorily registered in this new Court. But failing that, I, or one of my noble Friends, will put down an Amendment following the Record of Titles Act, 1865, by which, unless a vendor objected, the title which had been investigated as regards the rest of his property as well as what he has sold, would be placed upon the record. The reason, as I understand, why the Government have not thought that desirable, in the present instance, is that it has been stated that solicitors, in proceeding under the Act of 1865, have rendered that Act a dead-letter by always inviting their clients to sign a paper of objection. I think I shall be able to show that the circumstances at the present day are entirely different to what they were in 1865, before any of these Land Acts were passed. The business of solicitors has very much changed in its character since, and I hope there will be no disposition to render an Act of this sort a dead-letter, but that, on the contrary, they will cordially endeavour to carry it out and make it work smoothly. We look upon this Bill as the first step in a very great reform in the registration of titles in Ireland, and we wish it every success.

THE LORD CHANCELLOR OF IRELAND: I have only one word to say in reply to the remarks which have been made by the noble Lords who have spoken. Of course, I can promise that every Amendment which may be put down will be most respectfully and fully considered, and that every consideration will also be given to the important suggestions which have been made upon the Bill. I would point out that this is a Bill which creates the deepest interest in Ireland, and among those who are connected with Irish affairs. It is a Bill dealing with Ireland and Irish property. Everybody who is acquainted with the constitution of the House of Commons knows that it is very hard to get unanimity there on any Irish subject, and this is one of those rare Bills which has succeeded in winning the approval of all sides and all parties connected with Ireland. It now comes up to your Lordships accredited by the unanimous Irish opinion in that House, and that is a circumstance which I am sure will have very great weight with your Lordships. Practically, I may remind your Lordships that if this Bill is subjected to anything like acute amendment from even the best possible disposition, that will have a very deterrent effect upon its chances of becoming law this Session. We are aware that women like kindness; but we are also aware that women may be killed by too much kindness, according to the well-known aphorism; and therefore I venture to submit to your Lordships that the discussion which takes place on this Bill should be temperate as well as kindly, and that the Amendments which may be put down by those noble Lords who take an interest in this Bill should be such as they consider absolutely essential for elucidating its meaning and making it work well. What my noble Friend has said as to the discussion which may take place hereafter is quite reasonable. I am aware that the noble Lords who have reserved their criticisms are quite within their rights, and I can only say that I shall listen to them with respect when they come to speak them. The noble and learned Lord opposite (Lord Herschell) has said a few words of important criticism on the Bill, and I shall be glad to consider all the views he may think it his duty to press on the House. I feel the interest and importance of what he says; but it is obvious that if it is proposed by one sweep of the pen to change by one short clause the whole devolution

of landed property in Ireland that would be a measure which very likely would not pass in the other House of Parliament, with that calm and smooth tranquillity which it has hitherto been the good fortune of this important Bill to meet. Many reasons can be suggested why the simple method of devolution proposed in this Bill should be adopted with the machinery for registering the titles of those who wish to become owners. I will reserve any further remarks until a later stage of the Bill, and I hope then to give those who take an interest in the matter adequate and satisfactory reasons for urging them to facilitate the sound and practical working of the scheme drafted in the Bill.

On Question, agreed to.

Bill read 2ª accordingly, and committed to a Commitee of the Whole House on Tuesday the 21st inst.

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.—(No. 160.)

Read 3ª (according to order), and passed.

FORGED TRANSFERS (No. 2) BILL. (No. 214.)

Amendments reported (according to order) and Bill to be read 3ª on Monday next.

SCHOOLS FOR SCIENCE AND ART BILL.—[H.L.]—(No. 193.)

Amendment reported (according to order); and Bill to be read 3ª on Monday next.

ALLOTMENTS RATING EXEMPTION BILL.—(No. 184.)

Read 3ª (according to order), and passed.

LAND REGISTRY (MIDDLESEX DEEDS) BILL.—(No. 206.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, this Bill is one which is designed to facilitate the more economical administration of two offices which are at present distinct. It is for the purpose of amalgamating them. Your Lordships will remember that the Middlesex Land Registry was introduced on the decease of a person who had held the office for several years, and there is an Act of 1875, at present in existence, in connection with it. The object of this Bill, is as I have said, to amalgamate the existing offices. It is simply designed for making the working more economical and facilitating that amalgamation. It has been drafted with the view of avoiding anything which would lead to controversy, and anything which should be seriously objected to in the Bill would be dropped rather than that the Bill should be imperilled.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

RETURNING OFFICERS (SCOTLAND) BILL.—(No. 191.)

PUBLIC HEALTH (LONDON) BILL. (No. 201.)

House in Committee (according to order); Bills reported without Amendment; and re-committed to the Standing Committee.

TRUSTEES BILL.—[H.L.]—(No. 73.)

Read 3ª (according to order); and passed, and sent to the Commons.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 161.)

Commons Amendment to Lords Amendments considered (on Motion), and agreed to.

House adjourned at twenty minutes before Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 10th July, 1891.

Copy ordered—

FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND).

"Of Memoranda and Tables prepared by the Treasury and the Customs and Inland Revenue Departments in view of the proposed inquiry into the Financial Relations between England, Scotland, and Ireland."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 329.]

HOURS OF CLOSING (SCOTLAND).

Return ordered—

"Showing (1) the hour of closing of licensed premises prescribed in each Burgh and County in Scotland in which such hour is earlier than 11 p.m., and the date of the adoption of such earlier hour; (2) in the case of each Burgh and County in which an earlier hour than 11 p.m. has been prescribed the number of Arrests for Drunkenness in the twelve months immediately preceding, and in the twelve months immediately succeeding, the adoption of such earlier hour in each such Burgh or County, and the number of such Arrests in each twelve months since completed in each such Burgh and County; and (3) the names of each Burgh and County in which the licensing authority under the Public Houses, Hours of Closing (Scotland) Act having been empowered to fix an earlier hour, 11 p.m. has been retained as the hour of closing."—(*Dr. Cameron*).

SHIPS MISSING.

Return ordered—

"Of the Names and Tonnâge of British Ships posted or reported as Missing, since 30th June, 1890, to 30th June, 1891, giving the numbers of lives lost in each case, and indicating those cases into the loss of which official inquiries have been made."—(*Mr. Jesse Collings*).

QUESTIONS.

ALLEGED MURDER OF PARSEE WOMEN.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been called to the agitation in Bombay consequent on the alleged murder of two Parsee women; whether he is aware that serious charges are brought against the police in connection with this affair; and whether he will recommend the Bombay Government to institute an independent inquiry into the matter?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has no information on this subject except such as may be obtained from the Bombay newspapers. It appears that a person has been committed for trial on a charge of murdering the women referred to. The Secretary of State will not recommend any interference by the Bombay Government with the due course of law.

CASE OF BULWUNT RAO.

MR. KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether he has now received information as to the case of Bulwunt Rao, formerly an official of the Indore State, for whose arrest a warrant was recently obtained from the British Residency Magistrate at Indore, at the instance of the Maharajah Holkar, the Ruler of Indore, on a charge of having written a letter in a local newspaper, commenting on certain proceedings of the Maharajah; is he aware that, although Bulwunt Rao was living at the time in the Gwalior State, where the warrant could not be legally executed, the warrant was nevertheless entrusted to a body of the Indore Police, who seized and murdered Bulwunt Rao on the 19th May last in the streets of Ujain; whether it has been brought to his notice that the widow of the said Bulwunt Rao has written a letter to the Agent to the Governor General for Central India, charging the Maharajah Holkar with having ordered the commission of the crime, and also that Bulwunt himself, during the three weeks immediately preceding his death, wrote letters to various persons, one of whom is resident in this country, declaring that information had reached him from Indore that the Maharajah Holkar had issued orders to the police that he, Bulwunt Rao, should be made away with; that he, Bulwunt Rao, had communicated this to the District Commissioner of the Gwalior State, who had promised to do his best to protect him, but that the Maharajah Holkar's police had then been encamped at the railway station for three weeks waiting to carry out the Maharajah's orders; and whether the Government of India will institute an inquiry into the truth or otherwise of the allegations thus made in writing by the deceased a few days before his death?

SIR J. GORST: The Secretary of State communicated with the Government of India on the subject of Bulwunt Rao, after the former question of the hon. Member in this House, and the following telegram has been received in reply:—

"Agent to Governor General in Central India reports that this man was arrested under

warrant issued by the Residency Court, Indore, at the request of the Indore State, for publication of a defamatory libel in the *Eastern Herald*. He was arrested in Ujain by Gwalior and Indore police, one of our railway police being also present. He was apparently treated with great violence, and died of syncope. The Agent to the Governor General reports that the Durbars will use every effort to secure the punishment of the offenders. The case will be watched."

MR. KEAY: Will the right hon. Gentleman reply to the last paragraph of the question, whether the Government will institute an inquiry into the truth of the allegations made by this man a few days before his death?

SIR J. GORST: I really cannot say whether the Government of India will make any further inquiry at present, as the case is before the Court. It would be beyond the province of the Government of India to interfere until a Report in the ordinary course has been received.

CENSUS ENUMERATORS.

MR. KEAY: I beg to ask the Lord Advocate whether he is aware that the Census enumerators for the town of Forres have only just been paid, although their work was finished three months ago; and if he can say if there was in this case any special cause of delay?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The cause of delay was the excessive claims for mileage made by the enumerators in question, which necessitated a reference to the Sheriff for investigation.

SCHOOL BOARD ELECTION IN BELLIE, MORAYSHIRE.

MR. KEAY: I beg to ask the Lord Advocate whether his attention has been called to an article in the *Northern Daily News* of the 10th instant, referring to certain occurrences at the last School Board election in the parish of Bellie, in Morayshire; whether he is aware that Andrew Macdonald, a saw miller in the employment of the Duke of Richmond and Gordon, came forward as a candidate of the working classes, his nominators including three fellow *employés* on the Duke's estate; that on the last day but one on which nominations could be withdrawn, the Duke's overseer, named John Andrew, took Macdonald into his office, and gave him his choice either to withdraw from his candidature or to be dismissed from his appointment, also adding, "If you don't withdraw it will be the worse for your nominators;" that Andrew then went to two of these nominators and urged them to get Macdonald to withdraw; that Macdonald, having refused to withdraw, was again warned by Andrew that, if elected, he would be dismissed from the Duke's service; and that, having been duly elected a member of the School Board, he wrote to the Duke informing him of the circumstances, and received on 25th April a simple acknowledgment of his letter; and whether it is in accordance with the law to intimidate a candidate for the School Board, or his nominators, in the manner here alleged, with the object of procuring his withdrawal from the contest?

*MR. J. P. B. ROBERTSON: The Notice Paper was the first intimidation I had of the matter which forms the subject of this question. I am informed that the statements made are inaccurate, but even were they correct, there is nothing shown which amounts to undue influence as defined by the Corrupt Practices Acts.

POST OFFICE REGULATIONS.

MR. SEXTON (Belfast, W.): I beg to ask the Postmaster General, with reference to the system of transferring members of the Service from one office to another, at their own instance or from any other cause, whether, by the Rules of the Post Office, such members, clerks or others, so transferred are compelled to take, upon the staff of the office to which they have been transferred, rank secondary to members who in point of service are many years their juniors, or to others who at the time of such transfer may only be passing through the probationary period of their appointment; whether the latter are considered and ranked as established servants of the Department before they have had their appointment confirmed; and, if so, upon what grounds are probationers permitted to take rank in seniority, and subsequently receive promotion, over transferred members of the Department with several years' service; whether, when a question of promotion arises, years of service spent in one office are ignored upon transfer to another; and, if so, will he remedy this grievance; and, if

this system be admitted, whether he will provide that members about to be transferred, or who are seeking transfer, from one office to another, shall have clearly defined to them the position which they will occupy upon transfer; whether he is aware that the transfer from one office to another usually entails heavy pecuniary loss; and whether it is usual to transfer members of the Service, either optionally or arbitrarily, from one office to another, and to subject them to loss of income, as well as minimise their prospects of promotion, without compensating such members for losses so sustained?

*THE POSTMASTER GENERAL (Mr. RAIKES, Dublin University): I have received a representation on the subject referred to by the hon. Member, and will examine the statements which it contains.

THE SHENSTONE SCHOOL.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Vice President of the Committee of Council on Education whether he is now in a position to state what decision, if any, the Education Department has come to with regard to the case of the master of Shenstone School, near Lichfield?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): No complaint has reached the Department, and there are accordingly no grounds for proceeding further in the matter.

CAPE TOWN AND SIMON'S BAY.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the First Lord of the Admiralty whether all lands and premises used by, or reserved for the use of, the Royal Navy at Simon's Bay are permanently vested in the Crown as represented by the Imperial Government; and, if not, what is the precise nature of the tenure by the Admiralty of such lands and premises?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): All the lands and premises in question at Simon's Bay are held by the Admiralty on a freehold tenure, but the grant of certain property by the Colonial Government was conditional upon the land being used for naval purposes.

SIR J. COLOMB: I beg to ask the First Lord of the Admiralty whether the authority and control of the Admiral commanding Her Majesty's ships is as full and complete over the ports of Cape Town and Simon's Bay as that of Admirals commanding Her Majesty's ships over the ports of Portsmouth, Plymouth, and other fortified naval ports of the United Kingdom; and, if not, what is the nature and cause of any difference which now exists?

LORD G. HAMILTON: The Admiral has no legal authority over the ports either at Cape Town or Simon's Bay in time of peace. Such authority at Cape Town has not been considered necessary, as it is a purely mercantile port, and at Simon's Bay Her Majesty's ships are accorded only prior rights of anchorage in the bay generally. No rights were specially reserved to the Admiralty when the colony was granted self-government, and therefore any exclusive authority over the anchorage in time of peace must be conferred by the Colonial Government.

METROPOLITAN OVERSEERS LISTS.

MR. CAUSTON (Southwark, W.): I had intended to ask the President of the Local Government Board whether he will grant the Return to be moved for to-day in reference to the Metropolitan Overseers Lists for the coming revision? but as the right hon. Gentleman is not in his place I will defer the question.

NEW UNIVERSITY FOR LONDON.

SIR H. ROSCOE (Manchester, S.): I beg to ask the First Lord of the Treasury whether it is the intention of the Government to grant a Royal Charter to a new University for the Metropolis, to include University and King's Colleges, London, in the latter of which a religious test is imposed upon all teachers, with the exception of the Professors of the Modern and Oriental Languages; and whether, in the event of such a University being founded, all such restrictions upon the teaching staff will be abolished?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The question as to the grant of a Charter is still under the consideration of the Privy Council

Office, and I am unable, therefore, to give the information asked for.

THE PRESIDENT OF THE FRENCH REPUBLIC.

MR. P. STANHOPE (Wednesbury): I beg to ask the First Lord of the Treasury whether Her Majesty's Government would take steps to convey to the French Government the satisfaction which would be given to the people of this country if the President of the French Republic could be prevailed upon to pay a visit to England?

*MR. W. H. SMITH: It is not in accordance with usage for Her Majesty's Ministers to convey invitations of this kind; but the head of the French Republic or of any other friendly nation would always receive a cordial welcome in this country.

SEIZURES ON IRISH HOLDINGS.

MR. P. J. POWER (Waterford, E.): I beg to ask the Attorney General for Ireland if it is the duty of the Constabulary in Ireland, when a seizure is about to be made either by a landlord or by the sheriff, to report to the landlord or sheriff as to what stock or property there is on the holding where it is intended to make the seizure?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It is not the duty of the Royal Irish Constabulary to report in the manner indicated in this question.

POLICE BARRACKS AT BELFAST.

MR. SEXTON: I beg to ask the Attorney General for Ireland if he can explain why, although the contract for the new central police barracks at Belfast was entered into three months ago, and part of the site had then been cleared, the building has not yet been begun; whether he is aware that the Inspector General of Constabulary has informed Messrs. Musgrave and Co., Limited, who are at present in occupation of the other part of the site, that the statement made by the Secretary to the Treasury to a question on the same subject on 2nd March last was at variance with the arrangements made; what is the explanation of the discrepancy between the statement of the Secretary to the Treasury and the statement of the Inspector General of Constabulary; whether he will lay upon the Table of the House copies of any Correspondence which has passed between the Inspector General of Constabulary, or the Board of Works, or any member of the late firm of Musgrave & Co., on the subject of the proposed buildings; and whether he can give the date when the part of the proposed site now occupied by Musgrave & Co., Limited, will be taken possession of by the Government?

MR. MADDEN: I am informed that the delay has arisen from difficulties experienced in connection with the foundation. The discrepancy between the two statements referred to is due to the fact that the Secretary to the Treasury was not aware of the original arrangements. No advantage would be gained by laying on the Table a copy of the Correspondence, and I am unable to state when the proposed site will be taken possession of by the Government.

MR. SEXTON: When will the new building, which we were told in March was about to be commenced, be proceeded with now that we have reached July?

MR. MADDEN: The exact date cannot at present be fixed.

MR. SEXTON: I will raise the question again on the Votes.

BELFAST TELEGRAPH OFFICE.

MR. SEXTON: I beg to ask the Postmaster General whether he has received any protests from the telegraphists of Belfast against the proposed revised scheme for the Belfast Telegraph Office; and whether the scheme will be further revised to meet the views of the clerks?

*MR. RAIKES: I have received a representation on the subject referred to by the hon. Member, and will examine the statements which it contains.

IRISH MAILS.

MR. SEXTON: I beg to ask the Postmaster General if he is aware that letters for the towns of Drumshambo (Leitrim), and Ballyfarnan and Keadue (Roscommon), arriving by the limited mail from Dublin, are delayed in Carrick-on-Shannon 22 hours before despatch in the cases of Drumshambo and Keadue, and a longer time in the case of Ballyfarnan; whether he will endeavour to provide a better service by arrangement with the

Leitrim and Cavan Light Railway Company for conveyance *viâ* Dromod; can he explain why, having arranged with the Clogher Valley Tramway Company for conveyance of mails over their line of 37 miles at £90 a-year, he offered the Cavan and Leitrim Company only £20 for the like service on their line of 48 miles, and, on their refusal, tendered parcels rates; and what he estimates to be the amount which would be payable under the latter proposal?

*Mr. RAIKES: The limited mail from Dublin does not arrive at Carrick-on-Shannon till about 10.45 a.m., and at the small places named there is only one delivery, which goes out from Carrick-on-Shannon in the early morning. Their letters by the limited mail have necessarily to wait till the following day. The question of arranging for a mail service by the Cavan and Leitrim Light Railway *viâ* Dromod has been several times considered, but the expense involved has always been found to be much in excess of the available revenue. It is the case that a payment at parcel rates, amounting to about £20 a year, was offered the Company, who have not yet accepted it, but I am still in communication with them. The circumstances relating to the contract with the Clogher Valley Tramway Company were altogether different, and therefore the cases are not analogous.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

1. Motion made, and Question proposed,

"That a sum, not exceeding £46,015, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for Foreign Affairs."

(3.40.) MR. MORTON (Peterborough): I venture to thank the hon. Member for Northampton (Mr. Labouchere) for having introduced the Triple Alliance. I am aware that there are Members of this House who consider that questions of foreign policy ought not to be considered by Radicals below the Gangway at all. That is an opinion with which I do not concur, because it is well known that the Radical Party are not only dictating the policy of the Government at the present moment, but that they are going to do so more and more in the future. In making this remark, I allude to the adoption of the Radical policy of Free Education, which shows how Her Majesty's Government are taking up the views of the Radical Party at the present moment. The Under Secretary of State for Foreign Affairs told us last night that—

"If the results of Lord Salisbury's policy so far were to be measured by its popularity and its acceptance with the country, he believed the Government could not wish to go to the country on a better issue."

I have no doubt that the policy of Lord Salisbury is thought very well of, but it is not because it is Lord Salisbury's policy. It is because he has given up the Jingo policy of the Tories and others, and has adopted the Radical policy. The Under Secretary went on to tell us—

"As the hon. Gentleman desired that the policy of Lord Salisbury should be contrasted with that of the right hon. Member for Mid Lothian, he would remind the hon. Member that, in 1888, after he had offered an explanation to the House, the right hon. Gentleman expressed his satisfaction with that explanation, and the Debate thereupon came to an end."

But that was only as far as it carried out the policy of the Liberal Party, and that is the reason why we are satisfied at present with the policy of a Tory Government. So far as both Front Benches are concerned, I think they have been equally bad in dealing with these matters, and we have invariably been unable to get any information from them. They may be fittingly described on one side as "Tweedle-dee," and on the other side as "Tweedle-dum." We have been told by the right hon. Gentleman opposite that our relations with France have been entirely cordial. Now, I do not agree with that statement at all, because there can be no doubt that the present Government have done a good deal to annoy the French Government and people. We refused to join with them in the Exhibition of 1889. And when I visited the Exhibition I

found from officials there that much dissatisfaction was felt at our action. I was told distinctly that Her Majesty's Government were not only offending the French Government but the French people. I know that the City of London took a different view, and Sir T. Whitehead and Sir Polydore Keyser did their best to show the good feeling of the City towards the French Republic. As the Government objected to take part in the Exhibition at Paris, I certainly cannot understand why they propose to join in that which is to be opened in the United States. I do not understand why they should be more friendly to one Republic than the other, unless they are in reality more afraid of offending the United States than France. What I desire is that all Governments should be treated alike—whether they happen to be an Empire, a Monarchy, or a Republic. I join most cordially in all the statements which were made last night by the hon. Member for Northampton in regard to the action of Lord Salisbury and the Government. I am afraid that upon the part of what is called the aristocratic class in this country there is a feeling against France because they have a Republic. But it is of no good to fight against the Republics. We are practically a Republic ourselves. I do not care what you call the head of the nation, Emperor, King, Queen, or President of the Republic, so long as the practical head is the majority of the House of Commons. In objecting to the French Republic we are really objecting to our own Government. We know that Republics are spreading, and before long it is not at all unlikely that there may be other Republics on the Continent with which it will be our duty to be on good terms. I am aware that to-day we are receiving the German Emperor in a most enthusiastic manner, and I have no doubt we should have been quite as enthusiastic if we had been giving a reception to the President of a German Republic.

*THE CHAIRMAN (Mr. H. H. FOWLER): The Question before the House is the Vote for the Foreign Office. Perhaps the hon. Member will confine his remarks to the proceedings of the Foreign Office during the past 12 months.

MR. MORTON: I apologise if I have been at all irregular. I may say, however, of the proceedings of the Foreign Office, that I think they have done a considerable amount of harm. I think we ought to have had less difficulty, and might have been more successful in settling matters in the interests of the people of Newfoundland, if we had pursued a different policy. With regard to the Triple Alliance, I object to it altogether. The sort of alliance I should like to see is an alliance between all the great Powers in favour of the principle of arbitration. In that case I think we might do some good. Perhaps I may be allowed to ask what the Government of this country have done in the interests of arbitration? I do not know what they may have been doing in the last 12 months, but I know they have been doing a little towards carrying out the policy of the Radicals and Democrats below the Gangway. I shall be glad to learn what it is they have done in that direction; which will be infinitely more satisfactory than the knowledge that they have joined, either directly or indirectly, in this Triple Alliance. The right hon. Gentleman the Under Secretary told us last night that there is some understanding in regard to the Triple Alliance with which we are connected.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I beg the hon. Member's pardon; I said nothing of the kind.

MR. MORTON: I accept the right hon. Gentleman's correction, but I must have misunderstood what he said. I would ask the right hon. Gentleman what the Government of this country are doing in the interests of arbitration, so that we may know what our foreign policy is to be in the future? Have we joined with America and two or three of the Continental Powers, big and little, in favour of settling the disputes of nations by arbitration instead of war? I am satisfied that in asking the Government to do something in that direction, instead of keeping up large armaments in order that we may be ready for some great war, I am representing the opinion of a very large majority of the people of this country. Instead of turning their attention to a Triple Alliance, they should cultivate an alliance of all the Great Powers in favour of arbitration. [*A laugh.*] The

right hon. Gentleman the First Lord laughs. I know that he is not in favour of arbitration, but all I can say is that he has not got the country with him. The people of this country, to whatever sect they belong, are in favour of settling foreign disputes by arbitration. As Lord Derby told us some years ago, the people are aware that that is their greatest interest, and that we can only secure permanent peace by inducing all nations, whether little or big, to go to arbitration rather than war. I would further ask the Government whether they will not allow the House of Commons to consider Treaties with foreign Governments before they are made, and not afterwards? There is no use in asking either House of Parliament to consider a Treaty after it has been made. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) stated in Edinburgh some years back that he was in favour of some sort of policy of that sort, and I want to know if the Government have considered it. After a Treaty has been entered into it is made a Party question, and is taken as one of confidence or no confidence in the Government. It is all very well for the First Lord of the Treasury to laugh, but he does not know, perhaps, how little time may elapse before he adopts this doctrine, just as he has taken free education from the Radical programme. I want to impress upon the Government the necessity of our adopting in our foreign policy the good example shown us by the American Government and the American people. Indeed, I think we should do well if we asked the Americans to run our Foreign Office for a certain time. In conclusion, I say that our policy should be non-intervention and absolute friendliness with every Power on the Continent, little or big.

(4.0.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not propose to follow my hon. Friend in the remarks he has made. I am bound to say that I have not such an intimate knowledge of the doings and motives of foreign Governments and foreign potentates as is possessed by my successor in the representation of Peterborough. I wish, however, to make an inquiry respecting the Anti-Slavery Convention and the Brussels Conference. I gather from the Blue Books, and I congratulate Her Majesty's Government on the fact, that the blockade of the African coast by the united fleets of Germany and England has been apparently very successful in diminishing the export trade in slaves across the water. I want to ask the right hon. Gentleman whether he can hold out any hopes as to the likelihood of the general Act of the Brussels Conference being immediately signed by the Great Powers? The French Deputies declined the other day—I hope only temporarily—to allow their Government to sign that Agreement. I am glad, however, now to see that the French Government have agreed to the postponement of the matter. This shows that they hope ultimately to obtain leave from their Parliament to sign the Convention. Of course, the other Powers will be much hampered in their action if the French do not allow their vessels to be treated in the same way as those of the other Powers. I gather from the reports I have read that when the French Chamber arrived at their decision the other day they acted under considerable misapprehension as to the terms of the Convention, and the likelihood of what would ensue if it were signed. I cannot help thinking that when the Chamber of Deputies come to consider the matter more carefully, and when they see that there is no political question connected with the Convention, they will arrive at a different decision. The Convention gives no right of search to other nations over French vessels. All it gives is that in the case of a small native craft running up a European flag, if there is reason to believe that the vessel is acting fraudulently in using the French or any other flag, there shall be power to overhaul it and examine its papers. If there should be any doubt, the question would have to be tried by the Courts of the nation whose flag was used. I hope they will ratify the general Act of the Brussels Conference to which all the other Powers are ready to give their assent, and which will do very much indeed for the cause of Christianity and for the cause of humanity.

*(4.5.) MR. P. STANHOPE (Wednesbury): With reference to the Triple Alliance, as the French people, whether rightly or wrongly, have chosen a Republic as the form of their Government, there unfortunately seems to be an inten-

tion in several parts of Europe, and especially among the great military Powers, to isolate the French Republic, but I hope no such feeling will influence our attitude towards France. The result has been that, when any question has arisen the effective treatment of which demanded concert on the part of Europe, it was found that France naturally did not join heartily in it. The Slave Trade is one of these questions. France, unfortunately, has for a long series of years been regularly wrought up into a condition of exasperation, and one of the causes of this has been the attitude and policy of England in Egypt, which country we have constantly pledged ourselves to evacuate, and as constantly broken those pledges. The particular circumstances in regard to England and the Triple Alliance, to which the hon. Member for Northampton referred last night, had had a similar effect, and justify, it seems to me, the feeling of distrust that prevails in France with respect to this country. It is true that we had a very satisfactory explanation from the Under Secretary for Foreign Affairs, but unfortunately the right hon. Gentleman is only the Under Secretary, and though we may listen to his statements with satisfaction, yet we cannot help feeling that there is a much greater man—if the right hon. Gentleman will allow me to say so—behind him, the Prime Minister, who assumes a *rôle* of independence with respect to foreign politics which has often led the country into difficulty. Hon. Members cannot have forgotten the unfortunate transactions some years ago with reference to our relations with Russia—the fervent assurances that were made on behalf of Lord Salisbury as to the attitude the Foreign Office had taken up, and the subsequent publication of the Schouvaloff Memorandum. In these circumstances, the House would certainly like to hear something more positive than it did last night from the right hon. Gentleman as to the intentions of the Government with regard to the Triple Alliance, so as to remove all doubt as to the existence of some secret understanding. I would call the right hon. Gentleman's attention to the telegrams on the subject in the *Times* of this morning. One telegram was from the *Times'* Correspondent at Berlin, and in it were these significant words—

> "The emphasis of loyal English friendship for Italy in such circumstances bears the character of a pre-arranged demonstration which removes the last vestige of a doubt as to England's attitude and position towards the Triple Alliance, irrespective and regardless of the fact whether this position be expressed by any written engagement or not."

We have been glad to suppose that the visits of the British vessels to the Italian or Austrian ports were merely normal visits of a friendly character and in the course of ordinary naval manœuvres, and were not prearranged demonstrations made for the purpose of inducing public opinion in Italy or Germany to suppose that we have entered into some engagement which connects us intimately, in a naval sense, with the Triple Alliance. In presence of such words as I have read, I should like to hear from the Foreign Office some more definite assurance that this is not the case than has yet been made. The right hon. Gentleman said last night that our sympathies will be with those who kept the peace and not with those who break it, a remark which at the time might appear harmless, but when closely looked into may bear a dangerous construction. The sympathies of the Liberal Party will always be with peace and with those who struggle to maintain it; but is it to be said that if France—it may be unwisely and injudiciously — thinks it desirable to make some attempt to regain the provinces she lost in 1870, and which are overwhelmingly French in sentiment and aspirations, we are at once to give, not only our sympathy, but our moral support to Germany? I do think it very important at a time when the Press of Europe is filled with all kinds of insinuations as to the intentions of the Foreign Office of this country, and with all kinds of constructions put upon the manœuvres of our fleet and on the welcome now being given by us to the German Emperor, that it should be clearly understood abroad that the people of this country are absolutely opposed to any policy whatever which connects them with Continental quarrels in which they have no part; that, while they are anxious to make any sacrifice for the maintenance of purely British interests, they absolutely repudiate any secret understanding which may lead them into alliance with Continental military

Powers for objects in which they have no national concern.

(4.15.) MR. PICTON (Leicester): I desire to call the attention of the Committee to another subject connected with the Foreign Office. I have already asked several questions as to what is being done by the Government to secure the safety and deliverance of Miss Kate Greenfield, an English girl of 14 years of age, who was carried off in May last from the village of Hajiabad, in Persia, by some disorderly Kurds. The case is one which ought to secure a great deal of sympathy. I hope that in this matter no indifference will be shown by the British authorities to what is due to the honour of this country, though I cannot help feeling that, if we had kept ourselves freer from the intrigues in which we seem lately to have been engaged with one country and another, we should have been able to speak out much more firmly and effectively in such an important matter as this. It appears that Miss Greenfield is the daughter of a gentleman, now deceased, who owned considerable property in certain villages on the borders of Persia. Her mother and three brothers lived with her. In May last, when her three brothers, who cultivated the estates, were absent on business, the girl went out with a servant for a walk, and was set upon by some Kurds lying in ambush and was carried off. When Mrs. Greenfield heard of the abduction of her daughter, she took horse and pursued the robbers, but lost sight of them. She then reported the case to the British Consul, who made representations in the proper quarter. The Ameer Nizam, Governor General of the province, telegraphed to So-uj-Bulak, the place where the girl was taken, ordering her to be set at liberty, but the Acting Governor of that place at first denied that the girl was there, and declared that she had been carried across the frontier into Turkey. This, however, was proved to be absolutely false; the girl was in the place. The next day a mock inquiry was held, and it was then alleged that the girl had declared herself to be a Mahomedan, the difficulty of religion being thus raised in the matter. I do not know how far the correspondent of the *Daily News* is correct, but he says that a person representing Kate Greenfield declared in her name that she had always been a Mahomedan, and desired to remain one. There may be ground for suspicion as to the truth of this, but whether it is true or not, it does not bear on the real question involved. Even if this girl of 14 had declared herself to be a Mahomedan, that would not justify the Kurds in violently carrying her off from the custody of her mother and the protection of her friends, nor would it justify any indifference of the English Government as to her treatment and fate. The British Consul, however, seems to have done the utmost he could in the matter. He persisted in his representations, and was then asked to go to the girl himself and ascertain what her feelings were. At first he thought it would be imprudent for the safety of the girl to take this step, but he afterwards went with the Turkish Consul, and then found that she was surrounded by armed men, who prevented access to her. They declared that she had turned Mahomedan, that it was simply a question of religion, and they threatened to slay anyone who interfered. I want to know from the right hon. Baronet what has been done, and what is being done, to secure the safety and emancipation of this girl? We are told that the Turkish Government are in fault. Here comes in the question how much influence has our Government with the Government of the Porte? It is said that we have rendered great services to the Porte—too many, in the opinion of many persons; but be that as it may, the Porte is, no doubt, under obligations to this country. But of what use is our friendliness with the Porte if we cannot get redress in a matter like this? If Her Majesty's Government had spoken with sufficient firmness, and said that this was regarded as a serious question by the people of this country, Turkey would not have allowed her officers to stand in the way of the girl's liberation. We are told that a Persian force has gone there, but that they are paralyzed by the communications which are going on between one Government and the other. If, instead of an English girl being captured in this savage manner and held in slavery, the British flag had been insulted, Her Majesty's Government would have been ready to

go to war to protect the honour of the country. Surely the honour of an English girl is part of the honour of the British flag. If this country possessed the influence it ought to possess I cannot help thinking that the demand of the Government for the liberation of Miss Greenfield would at once have secured attention. I ask the Under Secretary to say whether the account in the *Daily News* of this morning is correct, and to tell us distinctly what has been done to make the Ottoman Porte and the Persian Government amenable to the righteous indignation of this country, and to secure the speedy release of this unfortunate young lady.

*(4.20.) SIR J. FERGUSSON: These discussions are necessarily somewhat discursive, and, of course, there are many questions as to which hon. Members desire information. Perhaps I shall best consult the convenience of the Committee if I answer the question of the hon. Member for Leicester (Mr. Picton) first. I can assure the hon. Member that before the question of the capture of this English girl was mentioned in the House Her Majesty's Government had taken energetic action to procure redress in the matter. After the news arrived here, Her Majesty's Government addressed themselves both to the Persian and the Turkish Governments to urge the absolute necessity of having this British subject set at liberty and returned to her friends. There has been no delay, no hesitation, and no want of vigour. The result was that the Turkish Government withdrew all opposition, and the Persian Government has been informed that Her Majesty's Government expect them to take the necessary steps. The conditions attached by the British Government to the inquiry that must take place were that it should be in a place where the girl should be perfectly free and not be exposed to intimidation; and, secondly, that it should be in the presence of persons both of the Mahomedan and Christian religions and her friends, so that she should not be overawed, and that her statement as to whether she had gone over of her own consent or whether she remained a prisoner may be perfectly distinct and unbiased. There is a curious incident in the case of which the Foreign Office has been informed, and which does not appear in the *Daily News*, the account in which seems, so far as I can judge in the short time I have been able to give to it, to be fairly correct, and that is that the mother of this girl was a Persian subject, possessed of considerable property, and by the laws of Persia it would seem that unless the girl became a Persian subject — that is to say, unless she married a Persian subject—she could not succeed to this property. I do not think Her Majesty's Government could possibly have done more in the case than they have done—and they did not wait for any pressure whatever from this House. The matter is now in a fair way of settlement. The hon. Member for Peterborough (Mr. Morton) no doubt represents the feelings of a great many people in this country who form judgments on foreign affairs without studying them very much. If the doctrine laid down by the hon. Member were adopted, it would be impossible to make any Treaty at all. A Treaty is the result of diplomacy, and if the House is to settle beforehand all the conditions on which our negotiators are to go into negotiations, I am afraid we should have shown our hand in the first place, and rendered the negotiations utterly unavailing. The hon. Member says that arbitration should be the rule in international affairs, and that there should be a general bond of nations to induce that method of settling all disputes. That would, indeed, be a golden age, but at the same time it would be attended with certain inconveniences. Supposing, for example, a foreign Power were to ask that we should refer to arbitration the possession of some territories we had acquired, but to which they thought they had an ancient right, we should not be willing to refer that to arbitration. There must be many things in which nations cannot agree upon the terms of reference. For instance, in the matter of the differences which exist between this country and Venezuela, the difficulty about going to arbitration is that neither Power as yet will concede that so wide a territory is in dispute. It is absolutely necessary, in the first place, to arrive at a basis of arbitration. But Her Majesty's Government have shown no indisposition to refer disputes in which they are concerned to arbitration. We have about three arbi-

trations going on at the present time. We have been willing to refer all matters in dispute between us and the French Government in Newfoundland except those which touch the sovereignty of the British Crown. We are willing to refer the question of the respective rights of the United States and England in the Behring Sea; also the differences between ourselves and Portugal last, for we had an arbitration with Germany on the East Coast of Africa, and so on. There is no indisposition to refer matters to arbitration, but there are certain preliminary conditions to be settled, namely, that we do not give up the indefeasible rights of this country. The hon. Member for Poplar (Mr. Buxton) has alluded to the Anti-Slavery Convention, and the attitude of France in relation to it. That Convention has been a work of much care and patience, and the result of a remarkable concurrence of agreement by the principal nations of the world. Much skill and credit attaches, especially to the British representatives, in the contracting of this agreement. Unfortunately, it has for the moment been interrupted by the vote of the French Chamber. Now, I utterly repudiate the assertion of the hon. Member for Wednesbury (Mr. P. Stanhope) that there has been, on the part of the French Government, any unwillingness to confirm that Convention, or that the failure is the result of strained relations. That is absolutely without foundation. I have before me the Report of the Committee of the French Chamber to which the Convention was referred. There is no word of imputation upon this country in that Report, but there is a reference to the jealousy which France entertains of a visitation in any shape of their vessels by a foreign marine. That is a principle that France has always maintained. She has not been a party to any of the old Anti-Slave Trade Conventions which gave a moderate right of visitation, and so she has seen in this modified power of visitation a certain infraction of the sanctity of her flag—a sanctity which she has always maintained. Without wounding the susceptibilities of the French it is possible we may have their co-operation; indeed, that we may give effect to this Convention, which will deal the greatest blow that has yet been delivered against the inhuman traffic which disgraces civilised times. It must not be forgotten that in this Convention we not only have made greater provision for extinguishing the Slave Trade by sea, but we have taken power to attack it at its source, and to remove the terrible miseries which afflict the people of Africa—miseries far greater than those which were connected with the seaboard trade. The hon. Member for Wednesbury is suspicious of the foreign policy pursued by Her Majesty's Government. I thank him for the generous sentiments which he ascribed to myself; but as he well knows, I am merely the mouthpiece of another, but I regard it as a privilege to represent in this House, as I have for the last five years, the judicious spirit which has guided our foreign policy. It is altogether inaccurate on the part of the hon. Member to describe the meeting of the Italian and British squadrons in the Adriatic as premeditated. It was altogether unpremeditated, as unpremeditated as will be the visit of the French Fleet to Portsmouth in a few weeks' time. These friendly meetings between our Forces and the Forces of foreign countries show that although we are well armed and able to protect our commerce and our liberties and our power, yet that armed force lies behind our moral force, and implies in no sense a belligerent disposition or any hostility to foreign Powers.

(4.37.) MR. BRYCE (Aberdeen, S.): I have listened with great interest to the remarks of the right hon. Gentleman, and I hope this Conventionwill be carried through, and the adhesion of foreign Powers obtained. I think we must all feel that there is no matter to which the combined action of the Powers ought to be more earnestly addressed than the suppression of the Slave Trade; and I am certain that there is no part of the Government's foreign policy which will receive more hearty and more unanimous support. I rose for the purpose of calling attention to another matter—the refusal of France to ratify the Convention on the liquor traffic among deep-sea fishermen. There seems to have been some little want of diplomatic courtesy, for the refusal has not been conveyed through the ordinary channels, but seems to have been

intimated in the French Chamber in the course of debate. I hope that the resources of diplomacy have not yet been exhausted, and that the ratification of France having been obtained, the Convention will be carried into effect. This liquor traffic in the North Sea is the cause of peril to the fishermen, and of the loss of many lives.

*(4.40.) SIR WALTER FOSTER (Derby, Ilkeston): I wish to call attention to the case of King Ja Ja, now dead, I believe, through the action of Her Majesty's Government. The removal of Ja Ja was considered to be temporary, and there were discussions from time to time with reference to his detention in the island of St. Vincent. I asked questions upon the subject from time to time, and about 12 months ago a Member of this House was informed that the return of Ja Ja to his country, Opobo, was under the consideration of the Government. On August 13, 1890, a Despatch was sent to the administrator of the Island of St. Vincent, promising Ja Ja's liberation and his return to Opobo on condition that he conducted himself loyally to Her Majesty and abstained in future from all disturbances. Ja Ja, in a formal and written undertaking, at once accepted the conditions of the Despatch as preparatory to his transference to his native country. On the 11th December following the right hon. Gentleman informed me that Ja Ja's health was unsatisfactory, and added that his return was inexpedient before a more effective form of administration had been established at Opobo. But I hold that a promise deliberately given in Her Majesty's name ought to have been observed. If the condition of Opobo was not satisfactory, that was the fault of the Government, who had charge there for three years. This state of things lasted a little time, and then Ja Ja was removed to Barbadoes, and not to his native country. His doctors, I believe, had recommended a change. He sailed thence, some weeks back, on his way to Opobo, and got to Teneriffe on June 7th, and died there without reaching his native land. I think in this matter somebody has blundered, and blundered badly. Not to have fulfilled the promise made was most injudicious and unwise, and we shall have potentates on the West Coast of Africa placing less reliance on the representations of this country than ought to be placed upon them. I think the cause of the blunder ought to be brought to light, and I hope that in future our relations with the native races on the West Coast of Africa will be free from a repetition of such deplorable blunders.

*(4.52.) SIR E. BIRKBECK (Norfolk, E.): To return for one moment to the question of the liquor traffic among the deep-sea fishermen, I would observe that it is a crying evil which has been fully realised by the North Sea fishermen. Many lives have been lost in consequence entirely through the worst descriptions of liquors supplied by the floating grog-shops, though the evil has been greatly mitigated mainly through the instrumentality of the Mission to the Deep-Sea Fishermen. But if the French Government do not carry out the engagement into which they entered, I am afraid there will be a revival of this liquor traffic. I hope my right hon. Friend will do the utmost in his power to bring about a completion of the Convention.

MR. LABOUCHERE (Northampton): I wish to call the attention of the right hon. Gentleman to the exiles, Arabi and his friends, at Ceylon. I am not going into the merits or demerits of the question. I merely wish to point out that Arabi and the other exiles wish to be transferred to a more healthy place. I have here a letter from Sir A. Campbell to Sir William Gregory, Governor of Ceylon, stating that the exiles are in bad health. They might be removed to Aden or to the place opposite, but that would be a miserable place.

*SIR J. FERGUSSON: They suggested Zeyla themselves.

MR. LABOUCHERE: Yes; but I think it would be a mistake, there being a great scarcity of water there. With regard to Cyprus, there is the technical difficulty that it is in the Ottoman dominions; but the exiles might give a pledge that they would not leave Cyprus if they preferred to go there. They have not any means of their own; they are educated Mahommedans with their families, and are dependent upon an allowance from the Egyptian Government, which is handed to the British Government to be doled out to them.

What they desire is, that they shall be removed to a place where the climate is better than that of Ceylon.

*(4.56.) DR. CAMERON (Glasgow, College): I wish to call attention to alleged outrages inflicted on British subjects by the Portuguese authorities in South Africa. The seizure of the *Countess of Carnarvon* took place some months ago, and a statement has been made on the subject by a Portuguese Minister in the Portuguese Parliament. I have repeatedly asked questions in this House on the subject without getting a satisfactory reply. I have been told that the case has come before a Portuguese Court, and that the vessel has been released on the undertaking of the Vice Consul, that the owners will abide by any agreement come to between the British and Portuguese Governments regarding her. Beyond that, the right hon. Gentleman has told me that the information he possesses is still incomplete, and that he is unable to produce any Papers on the subject. Here we have the seizure of a vessel on the allegation made, on the one hand, that she was carrying a contraband cargo of arms, and, on the other hand, that the nature of her cargo by no means justified the seizure. Again, we have not had the facts given us; and I submit that when an event of this kind occurs affecting a great commercial nation like Great Britain, the House of Commons is surely entitled to a statement of the facts and to know what steps are being taken for the protection of British interests abroad. Then came the attack on Sir John Willoughby's expedition. Two or three vessels connected with that were laid hold of by the Portuguese authorities. Again we had contradictory statements of facts, and again the right hon. Gentleman told us he had not received complete information, although statements were made in the Portuguese Parliament. I think it is not creditable to the Foreign Office that this country should be so far behind Portugal in acquainting itself with the real facts of the case. This seizure by the Portuguese was followed in a few weeks by an attack on the expedition of Major Johnston, also on the Pungwé River. Here again took place the seizure of a vessel and the hauling down of our flag—a stereotyped form of outrage in these regions. The House of Commons, I maintain, is entitled to full information as to the facts relating to these cases, which involve the alleged violation of our flag and outrages upon subjects who may or may not have been pursuing a perfectly lawful business, but who are British subjects, in whose doings and sufferings the country must necessarily be interested. I trust that the right hon. Gentleman will be able to supplement the information on the subject, and to promise us Papers regarding it.

*(5.5.) MR. LEVESON-GOWER (Stoke-upon-Trent): I desire to direct the attention of the Committee to the omission of political economy as one of the compulsory subjects of examination for the Diplomatic and Foreign Office Service. These examinations have recently been amalgamated. Previously political economy was compulsory for the Diplomatic Service Examination, but not for the Foreign Office; but now it is altogether omitted from the list of compulsory subjects. Though it is true that the elimination of this subject has been recommended by the Royal Commission which recently sat on Civil Service Establishments, I yet consider it to be a subject worthy of the attention of the Committee, especially in view of the fact that many salutary changes proposed by the Royal Commission have been more or less studiously disregarded by the Government. In my opinion, it is quite as needful for our Representatives abroad to be equipped with the best knowledge practicable as it is needful for the Army and Navy to be equipped with weapons of offence and defence or for a barrister to be equipped with a knowledge of law and the contents of his brief. It is of importance to the great industrial centres of the country to know that this subject is not being overlooked. It is necessary that our Representatives abroad should be able to hold their own against foreign Representatives in regard to commercial matters. I noticed the other day that in an examination paper set by the Belgian Foreign Office commercial subjects held a prominent position, and I am sure the right hon. Gentleman would not wish that our Representatives should in this matter be at a disadvantage. We have already had

some very able Commercial Reports by members of our Diplomatic Service, among them being Mr. Kennedy's on Italy, and Mr. Arthur Hardinge's on Spain. These are greatly valued in commercial circles, and the appearance of similar Reports is awaited with much interest. I do not know that political economy is a subject which is naturally acquired late in life, and it seems to me far better to interest a young man in it, whilst if he is taken through the elementary drudgery connected with it he is more likely to continue to study it than if it is left to mere chance. We have been told that for political economy an extra European language has been substituted—that a knowledge of either Italian or Spanish is required. I have not a word to say against the acquisition of extra languages by members of our Diplomatic Service, but I submit that it is far easier for a young man of intelligence and ability to pick up a language during a few months' residence in a country than it is to take up a subject like political economy. Therefore, I would urge that political economy should be retained as a compulsory subject. We who represent great commercial districts which send goods to every quarter of the globe cannot too strongly insist on the importance of this. I will give an illustration of how English goods get abroad. A friend of mine who was travelling in Africa was possessed of a handsome pair of revolvers which attracted the admiration of a Native Chief. The Chief first offered palm oil and ivory, but my friend not requiring such things refused. Then the Chief offered him a slave; that, too, he was obliged to decline, and at last by a happy inspiration the Chief produced a soup tureen, which on examination was found to have been manufactured by a firm in my constituency. I can only say, in conclusion, I hope the right hon. Gentleman will explain the reasons for the change in the curriculum.

(5.15.) MR. PICTON: I should like to say a few words in support of the appeal of my hon. Friend. The Reports on commercial matters which have of late years been produced by various members of the Diplomatic Service have proved of considerable value not only to Members of this House, but also to those engaged in business, and I venture to say they could not have been drawn up by anyone entirely ignorant of the principles of political economy. Again, labour questions are now very much to the fore, and everyone knows how political economy is involved in the consideration of them. I think we shall lose very much, indeed, if we allow young men to enter the Diplomatic Service without a substantial knowledge of political economy, and I cannot understand why in the world it was dropped from the list of compulsory subjects. As to the recommendation of the Royal Commission, all I can venture to say, speaking from experience, is that any recommendation by a Commission seems to afford a strong reason for the Government adopting a very opposite view.

*(5.20.) MR. BUCHANAN (Edinburgh, E.): I should like to supplement the questions which have been put to the right hon. Gentleman by my hon. Friend the Member for the College Division of Glasgow. I understand that my hon. Friend has dealt particularly with the various attacks on British ships on the Limpopo and other rivers, and no doubt this was one of the most difficult points in connection with the recent settlement of South African affairs. I hope the Government will take care that it shall be made absolutely clear in future that there shall be thoroughly unimpeded communication by means of the South African rivers between South Central Africa and the Coast, and that the Articles in our Treaties will be fairly and thoroughly carried out for the benefit of our traders and settlers in that region. There is considerable ignorance as to the actual navigation of many of these rivers, and I hope Her Majesty's Government will take care that in the event of other discoveries being made the arrangements with Portugal shall be sufficiently elastic, so as to enable us to take advantage of the best navigable routes into the interior, and that they shall be effectively open to our commerce. I wish to ask the intentions of the Government with regard to the presence of Gungunhana's Envoys in this country. No doubt those Envoys represent accurately the feelings of their fellow-countrymen when they say they would be safer under our protection. I hope that whatever we may do, and whatever reception may be accorded to them, it will, at least, show that the Government

have no desire to lightly disregard their wishes, and that they will be assured that the protection which the Government desire to offer to the natives in other parts of the country will not be withheld from them. They occupy a very important position on the strip of territory which intervenes between our possessions and the coast. I should also like to ask the Under Secretary for Foreign Affairs to give us some further information with regard to the future government of Nyassaland. We have been told that Mr. Johnston, who is Consul at Mozambique, is now Commissioner in Nyassaland, but we have no particulars as to the exact powers he is to exercise there. It has transpired that the African Lakes Company has been bought up by the British South Africa Company, the latter of which is, as far as I can understand, practically financing the Government of the country. Arrangements of that sort seem to be open to considerable objection, and I think it is very desirable that it should be put beyond dispute what powers Mr. Johnston exercises, and over what territory. On my own account, and on behalf of my constituency, which has always evinced great interest in Nyassaland affairs, I should like to say I feel that the Government have done their utmost to provide a fair settlement in connection with the government of that country; but I do not wish, now that matters are reaching some termination which may be looked upon as fairly satisfactory, that there should be any flaw or uncertainty on the subject.

*(5.25.) SIR J. FERGUSSON: I will endeavour to reply to the various questions which have been addressed to me. The hon. Member for Aberdeen asked as to the North Sea Liquor Convention. There has been no diplomatic intimation as to the non-ratification of the Convention into which France entered with other Powers bordering on the North Sea, and it was only in the course of a Debate on the question, I think, of the Brussels Convention that the French Minister intimated that he did not intend to submit the Liquor Convention for ratification. There is little doubt that the same difficulty as operated in the case of the Slave Trade, is at fault here; but we are not informed of that, and Her Majesty's Ambassador at Paris has been asked to ascertain the reasons of the French Minister. When we have received a statement of these reasons it will be our duty to endeavour to remove the objections if possible. Her Majesty's Government attach very great importance to the interests of the fishermen, and will not allow the Convention to fall through if they can possibly prevent it. With regard to the death of King Ja Ja, it is a matter of regret that it should have happened. It has been stated that he died in our hands. But the disease of which he unfortunately died was not presumably caused by his detention. We understand that he died of dysentery. He had been in a very bad state of health for many months past—in fact, what might be called decline. It has been said it was a breach of faith on the part of Her Majesty's Government not to send him home before. It has been the desire of Her Majesty's Government, as soon as it could safely be done, to allow him to return home, but, in consequence of the information we received of the state of feeling among the tribes, it was deemed undesirable that he should be sent back immediately, and it was delayed in order that he might return in the company of the Commissioner. The hon. Member asked why we had not got the country into a proper condition, so that there would be no danger in the return of Ja Ja. I would point out that we cannot build up a settled Government in such a short time. We have sent out an administrator of proved capacity with a sufficient staff of assistants, who will gradually bring this region under a more regular Government. The hon. Member for Northampton has asked for information concerning Arabi Pasha and the Egyptian exiles. Her Majesty's Government have not imposed any *non possumus* with regard to a change of residence for these persons. There are difficulties in the way of their removal to some places that would be agreeable to them. The Egyptian Government are not willing that they should return to Egypt. These men, it should be remembered, were condemned to death, but the British Government interfered and obtained a remission of the death sentence on condition that they should be exiled. They have been maintained in comfort in the

Island of Ceylon, and have been allowed to communicate with their friends both personally and by letter. It is evident that their confinement is not rigid, and when complaints were made that their health had suffered from the climate of Ceylon a competent Medical Commission was appointed on the subject. The Commissioners reported that the climate of the island was not calculated to endanger their lives or to injure their health. Of course, no exile will find any country as sweet as his native land, but Her Majesty's Government are at the present time trying to arrange for their removal to another place where they will have all the advantages which the hon. Member has pointed out. I cannot say more on the subject at present. With regard to what has occurred in Delagoa Bay and its neighbourhood, I may say that the Portuguese condemned the *Countess of Carnarvon*, and it was only on the active representations of the British Consul that the condemnation was suspended. We have made a considerable demand for damages on the ground that the Portuguese were utterly in fault in seizing the ship. In the case of Sir John Willoughby, also, we hold that the Portuguese were in the wrong, and there is no doubt that in many cases the local Portuguese officers, who are not always men in very high positions or with much education, have acted in a very arbitrary way. I am quite free to confess that in many cases we were very forbearing with the Portuguese. Possibly if it had been a stronger Power, or one involved in fewer difficulties, we might have been more prompt in our demands for redress. I think, however, we have taken a proper and a generous course. In cases, however, in which British subjects have been clearly wronged and treated in a way which International Law will not justify we insist upon redress.

DR. CAMERON: Has the right hon. Gentleman any information regarding the attack on Major Johnston's expedition?

*SIR J. FERGUSSON: I am afraid I cannot tell the hon. Member about that case. I had no notice that the question would be asked, and some of these matters are difficult and complicated. I shall be happy to deal with it either on the Report stage or at some other time. As to the changes recommended by the Royal Commission in the Foreign Office and Diplomatic Service, one of the recommendations was that gentlemen should be transferable from one branch of the Service to another, and that has been carried out. The examinations in French and German have been made much more particular than they were before, and certain other subjects have been introduced or extended. It has not been thought necessary to include political economy in the examinations, but it must not be supposed for a moment that an officer's education terminates when he gets into the Service. An officer who has to deal with matters which show him the defects of his own education naturally turns his mind to the subjects in which he finds his knowledge deficient, and on which the possession of greater information is necessary for the efficient performance of his duties. Of course, a man ought to be acquainted with labour questions, but the Reports which are received from our Diplomatic and Consular officers show that considerable demands are made upon their attainments and knowledge. I know those Reports are more and more appreciated in the country. The omission of political economy from the examination was a moot question, but it was the opinion of the Secretary of State that it was not so important at the beginning as the other subjects. The hon. Member for Edinburgh said the South African rivers should be open to our commerce. I trust that will be the result of the negotiations. He asks as to our relations with an important Chief, whose name I have not thoroughly mastered. Her Majesty's Government have for a long time recognised the Portuguese sovereignty over the coast line opposite that territory. Although Her Majesty's Government desire to maintain friendly relations with Gungunhana, and some part of his territory, I believe, lies within our sphere of influence, most of it does not, and we must be perfectly faithful in regard to the arrangements we have made with the Portuguese as to the limits of our sphere of influence. Reference has also been made to the administration of Nyassaland. Mr. Johnston has received instructions to maintain friendly relations with all the Chiefs and to respect their just rights, and proper means have

been taken for the protection alike of British subjects and natives. Indeed, instructions, based on the principles to which I have referred, have been given to all the officers recently appointed, with the object, if possible, of avoiding the difficulties which previously beset us in Africa and of removing abuses which have long afflicted that part of the world.

*(5.47.) SIR WALTER FOSTER: I think the right hon. Gentleman's explanation with reference to the prolonged delay in dealing with ex-King Ja Ja is not satisfactory. I think that Major MacDonald ought long ago to have reached Teneriffe and taken Ja Ja to his own home. I wish all the more to call attention to the matter and to ask for information about it, because it has been stated that the Opobo territory is likely to become a British possession. If so, what a lurid light it throws upon the proceedings of the Government! Several years ago the King was kidknapped, placed on board a vessel of war, subjected to an irregular trial, and then sent to St. Vincent. At the end of three years—the British Government administering his territory in the meantime—it is decided that he shall return home on certain conditions, which are duly exacted from him. Still there is further and most unjust delay, and finally the King dies while in the hands of the Government without having received justice. Then it is that we hear for the first time that it is intended to make a British colony of the King's territory. I contend that the delay of which the Government is guilty in this matter and the whole history of the case are very discreditable. I hope we shall hear a repudiation of the rumour that it is intended to make this addition to our possessions in Africa, for the Oil River Settlement is not a healthy district, and its possession would not lead to either our commercial or general prosperity.

*(5.50.) MR. HENEAGE (Great Grimsby): I think the real facts with regard to the delay shown by the French Government in observing and carrying out the regulations of the North Sea Fisheries Convention are hardly sufficiently before the House. Nearly four years have passed without any steps being taken by the French Government, although I believe all the other countries interested have promoted the necessary legislation. Now, we are told that France has not ratified the Convention, and Her Majesty's Government know nothing about what they are going to do. I should like to point out that we are likely to get into very serious difficulties because, under the 7th Article of the Convention, the citizens of any nation have a right to interfere with the so-called grog-boats. This is a very serious matter, and I really think the Government ought to see whether anything cannot be done to induce the French Government to carry out the Convention so as to prevent difficulties arising from conflicts with French grog-boats.

(5.53.) MR. MORTON: I should like to say a word or two in favour of Arabi Pacha. It is all nonsense to say he was condemned by the Egyptian Government. It was the British Government that condemned him, and the Egyptian Government had no more to do with the matter than my umbrella. If it is a fact that the reforms of which we hear so much have been carried out by the British Government in Egypt, surely there ought to be no difficulty whatever in allowing this very able gentleman to return to his country, and spend the rest of his days there. I trust the right hon. Gentleman, who I know is not responsible for the detention of these exiles, will ask Lord Salisbury to reconsider this matter with the Egyptian Government.

(5.56.) MR. ILLINGWORTH (Bradford, W.): I wish to draw the right hon. Gentleman's attention to the question of emigration to the Brazils. A considerable number of the emigrants who have gone there went from my own constituency, and the privations they have undergone are something terrible. It is desirable that something should be done, not only for those who are already sufferers, but to prevent others going to Brazil. Would it not be possible to put into the hands of intending emigrants the most reliable information as to the position in which British emigrants find themselves in Brazil?

*SIR J. FERGUSSON: I do not think that anything more thorough can be done than is being done now for the advice, the direction, and protection of emigrants. I am constantly in com-

munication with the Emigrants' Information Office on the subject. That office sends out large posters to every Post Office in the Kingdom, and to a great many other buildings giving all the information they can, and warning emigrants against going to unsuitable countries. In spite of the plainest warnings against going to Brazil, emigrants have continued to go there in large numbers. It is extraordinary to see how large the credulity of some people is, and how difficult it is, short of using actual restraint, to prevent them going to unsuitable places. Charitable contributions have been forwarded from Bradford to distressed British emigrants in Brazil, and means have been taken, I think, to send some of the people home.

*(6.0.) MR. LEVESON-GOWER: I confess I am disappointed with the reply of the right hon. Gentleman in reference to the subject I brought under his notice, namely, the exclusion of political economy from the examination subjects for candidates for the Foreign Office and Diplomatic Service. The right hon. Gentleman says it is a subject which can easily be "got up," and that the knowledge derived from the study of text-books cannot be very valuable. But that is an argument which can be brought against any subject for examination. I cannot see that the right hon. Gentleman has met my argument that knowledge on the subject would be a useful equipment for candidates, and as a protest I shall move a reduction of the Vote by £100.

Motion made, and Question proposed, "That Item A, of £47,460, Salaries, be reduced by £100, part of the salary of the Secretary of State.—(*Mr. Leveson-Gower.*)

(6.2.) MR. BRYCE: If my hon. Friend desires to take a Division I may, before we pass from this subject, refer to another change in the regulations, which provides that examinations in history shall begin with 1789 and go down to 1871. This excludes knowledge of the events which led up to the Revolution, and the state of Europe before that time, and such an examination cannot, I think, be called eminently satisfactory. The right hon. Gentleman says political economy is only got up as a cram subject. Well, I remember a well-known tutor at Cambridge, who used to divide subjects into three divisions, translation, composition, and cram. The right hon. Gentleman seems to adopt a similar classification, for I do not know any other subject that would not come under his definition of "cram." It is only a "cram" subject in the hands of an incompetent examiner, but under competent examiners there is no subject which better tests a man's power of thinking and applying principles to facts than political economy, and it is a subject eminently suited for candidates for the Foreign Office and Diplomatic Service. There is no more important Department of the Foreign Office than that which concerns our commercial relations all over the world, and the Consular Reports, which are becoming increasingly useful to the commercial classes of the community, require for their preparation considerable knowledge of the underlying principles of political economy. I hope the Committee will take the opportunity of showing the importance attached to this study by expressing the opinion that it is a subject which ought to be included in these examinations. It is a subject not to be dispensed with, and which a man is well able to study at the age of 23.

(6.4) MR. LABOUCHERE: I hope the right hon. Gentleman will yield on this point. I think he must admit that it would be an advantage to the country if Consuls and members of the Diplomatic Service had some knowledge of political economy. I say this, not because I am myself a great believer in political economy, but if it is to be a choice between knowing and not knowing, I think it is better that a member of the Diplomatic Service should have the knowledge. There is, be it remembered, an enormous demand for places in the Diplomatic Service, and we may be quite sure there will be no lack of applicants if this subject is included in the examinations. A main point in the qualifications of a diplomatist or Consul is that he should know foreign languages, and, after that, what we want is an able, all-round man. The best diplomatists in the world are, I believe, admitted to be the Russians. I have a Russian friend, now a Minister, and I remember on one occasion asking him about these examinations, and he said, "I passed my

examination very much to my own surprise, for I thought I displayed very little knowledge of the subjects in which I was examined. Still, I came out among the first. Having an acquaintance with one of the examiners, I afterwards asked him how it was I was passed, and he replied, 'We perceived that you knew nothing about the subject, yet so cleverly did you conceal your ignorance that we came to the conclusion that you were eminently fitted for a diplomatist.'" Well, the opinion was justified; he has been successful, and is an Ambassador somewhere now. This is a very small point the hon. Member has raised, and I think the right hon. Gentleman might as well yield it.

(6.6.) MR. PICTON: The right hon. Gentleman admitted what the hon. Member said as to the advantage of knowledge on this subject, but he said it was knowledge a man could acquire after entering upon his duties. Of course, we are all learning while our life lasts, but we have to consider what is most necessary as equipment before entering upon a profession. Subjects have degrees of importance. Composition is important, but proficiency is not to be obtained in a short time, and study in this branch must continue after entering the service. It is far more important that a candidate should be grounded in a knowledge of political economy than that he should be master of an elegant style of expression. The importance of the subject is admitted, and yet composition is given the first place. I am glad the hon. Member is going to take a Division, and I shall vote with him as expressing the opinion that political economy is an essential subject in the education of a diplomatist.

(6.10.) The Committee divided:—Ayes 86; Noes 151.—(Div. List, No. 342.)

Original Question again proposed.

*(6.20.) MR. SUMMERS (Huddersfield): I rise to move a reduction of the Vote by £200, part of the salary of the Secretary of State for Foreign Affairs, and I do so with the object of calling the attention of the Committee to the continued misgovernment that prevails in the Asiatic dominions of the Sultan, and especially in Turkish Armenia. Perhaps I shall be asked by some hon. Gentlemen why I confine my attention to Armenia; why I do not include within the scope of my observations all other parts of the Ottoman dominions that remain under the direct rule of the Turk? Everywhere, I may be told, where the Turk exercises authority and sway, there tyranny and oppression are to be found. That is perfectly true, and I have not a word to say in favour of the direct rule of the Turk over any Christian population in any portion of the Ottoman dominions. The Christians of Macedonia have wrongs to be righted just as much as the Christians of Armenia, and whenever the time arrives for the Slavs and Greeks of Macedonia to be re-united with their liberated brethren in free Servia, free Bulgaria, and free Greece, I, for one, shall very heartily rejoice. My hon. Friend the Member for Northampton (Mr. Labouchere) told us last night that diplomatists were among the most ignorant of men. I do not know what may be the opinion of diplomatists in regard to this Eastern question, but men who do not close their eyes to facts must be aware that the Ottoman Power is, and has long been, on the decline. The Turk has been got rid of in Hungary, in Servia, in Bulgaria, and in the liberated portion of Greece. I trust the time is not far distant when the Turkish authority will disappear from Macedonia and Crete as well. But, on the present occasion, I desire to call the attention of the Committee to the case of Armenia, and I do so because in my humble judgment the case of Armenia is the most urgent case so far as the Turkish Empire is concerned, and because, also, it happens that in regard to Armenia we have fuller information than we possess in regard to the Christian populations in the European provinces of the Sultan. The Armenians, by universal acknowledgment, are an enterprising, intelligent, and industrious people. There are, I suppose, 5,000,000 of the race in various parts of the world, and of these we may say 3,000,000 are to be found within the dominions of the Sultan; 1,750,000 are subjects of the Czar, and 250,000 are under the authority of the Shah of Persia. It is with the 3,000,000 of Armenians who are subjects of the Sultan, or rather with that portion

of them inhabiting Turkish Armenia, that I am now and here more particularly concerned. What is the condition of Turkish Armenia at the present time? Everyone who has made himself acquainted with the facts as they have recently been made known will agree with me that the condition of affairs is most deplorable. A description of the state of Armenia at the present time offers another exemplification of the truth of the proverbial saying, "Where the Sultan's horse-hoof treads grass never grows again."

> "Byzantines boast that on the clod
> Where once their Sultan's horse hath trod,
> Grows neither grass, nor shrub, nor tree."

Now, the elementary duty of every Government is to protect the lives and property of its subjects. If that be a proper definition of government, then the government of the Sublime Porte fails in its most elementary duty. Instead of protecting its subjects it joins in plundering them, and hence it has been said, and rightly said, that the rule of the Turks is not a government at all, but a "system of organised brigandage." In support of my contention that anarchy reigns in Turkish Armenia, and that the elemetary principles of government are not to be found in that country. I can quote from the Blue Books recently presented to Parliament, and more especially from the Despatches of Her Majesty's Consuls. The late Mr. Clifford Lloyd was some time Her Majesty's Consul at Erzeroum, and when I quote his words I think hon. Members who remember incidents in Mr. Lloyd's earlier career will admit that that gentleman was not likely to have been influenced by an undue regard for popular sentiment and popular opinion.

> "I regret to state," wrote Mr. Clifford Lloyd in October last, "the Armenian peasantry in the Passen Plain and the valley of Alashgird have suffered severely from the attacks of the neighbouring Kurds. I believe that every Christian village in the Passen Valley has been plundered, at least 2,282 sheep, 754 head of cattle, 20 horses, and 31 asses having been carried away to the mountains. The Mussulman villages are reported to have been exempt from the visits of these robbers."

It will be observed that these Kurdish robbers make distinctions, exempting the Moslem villages from their incursions, so that there is an organised system in their ravages. Mr. Clifford Lloyd goes on to say—

> "In the valley of Alashgird, at a short distance from the Passen Plain, of which it may be said to be a continuation, the Kurds have acted in a similar manner, burning crops they could not carry away, and adding to their crimes the murder of at least three Christians. My information," continues our late Consul, "leads me to believe that the condition of the Alashgird Valley is one of extreme gravity, and that, in the hope of obtaining the protection of the Russian Government, the inhabitants are making arrangements to enter the Greek Church."

All this, it will be observed, is happening close to the Russian frontier and within easy reach of the capital of the province Erzeroum, where Her Majesty's Consulate is stationed. Now, if this is the case near the frontier and within the range of European influence, we may rely upon it that the condition of things in the interior is even worse than that which I have just described. Indeed, such we know to be the case, for in August last Vice-Consul Devey was sent by Mr. Clifford Lloyd to Bitlis and Van to investigate and report upon the condition of affairs, especially in the Moush Plain. During his journey he tells us he ascertained there had been of late an unusual number of crimes of violence and aggression on the part of Kurds plundering Armenians. He adds that—

> "The Armenians generally seemed to be in a state of abject terror, afraid for their lives."

That the Armenians should be in a state of abject terror is, under the circumstances of the case, precisely what we should expect. They are unarmed and helpless; the Kurds are armed, and their proceedings are applauded or connived at by the authorities. Kurdish Chiefs were recently received in public audience by the Sultan, who conferred on them decorations and presents. The Under Secretary of State has compared the arming of the Kurds to the arming of some of the native tribes in India, but there is this difference, I think, that the native tribes in India have been commanded by European officers, whereas, in the case of the Kurds, they are not put under European officers at all. These brigand chiefs are themselves to command their own retainers. Well, to go on with the evidence, Mr. Clifford Lloyd wrote to Sir William White—

"As your Excellency is aware, the Kurds are armed, and the Christian peasants unarmed and helpless. The latter sow, and the former appropriate the harvest to their own wants, while, to gratify their instincts, they often burn and destroy what they do not appropriate. Owing to these circumstances, the peasants get into arrears in the payment of taxes, the collection of which proceeds by arbitrary and sometimes by cruel methods on the part of subordinate officials, and redress in the one case and the other being, for various reasons, refused or withheld, the Christian peasants are reduced to a state of abject poverty, fear, and discontent, and any combination for the purpose of petitioning the Government for assistance and consideration is met by the application of those measures only excusable in the case of a people plotting revolution. This the Armenian population in this country are far from contemplating."

There can be little doubt, then, that the Christians are being treated with the utmost cruelty in Turkish Armenia. I am informed that there are at this moment some 600 Armenians in the prisons in Cilicia (in Adana, Sis and other districts), 90 in prison at Erzeroum, and 9 exiled to Fezzan. More recent testimony declares that Vartan Caloustian died in prison at Constantinople in May after he had been detained six months without a trial. Some of the charges brought against these men are of the most trumpery character. For example, men are imprisoned because they have amongst their books and papers a "History of Armenia," published in Venice. The House will agree with me that petty tyranny could not go much further than the Sublime Porte has found the means of going in the Turkish Province of Armenia. But there is still more recent evidence than that of the late Mr. Clifford Lloyd. Mrs. Bishop, better known as Miss Isabella Bird, in the late autumn and early winter of 1890, traversed the country from one end to the other, from Urmi to Trebizond. from the Persian frontier to the Black Sea. In a couple of articles entitled "The Shadow of the Kurdd," which were published in the *Contemporary Review* for May and June, she says—

"From the Persian frontier, a few miles from Urmi, along a more or less travelled route of several hundred miles, there was, generally speaking, no security for life, property, or traffic."

"15,000 sheep were driven off from the Gawar Plain, between June 1 and October 18, 1890, chiefly by the Harikis, a tribe of Kurdish nomads."

Mr. Summers

She agrees with Mr. Clifford Lloyd in holding that the Government abets and connives at outrage. Mr. Lloyd published a most important Minute on October 2nd, in which he proved conclusively the responsibility of the local authorities and the Imperial authorities for the misgovernment of this Province. He wrote—

"In all crimes of violence of which the Christians have been the victims during the past year in the Province of Erzeroum, no one has been punished, nor, with very few exceptions, has any effort been even made to bring the offenders to justice."

Now, I want to know whether the Under Secretary of State for Foreign Affairs has any further information upon this question, whether he can tell us, for instance, if it is not the fact that the Mahommedans who butchered Christians in Erzeroum in June last still remain unpunished?

"There can be no doubt," writes Mrs. Bishop, "that the local authorities always side with the Kurds against the Christians, and connive at their oppressions and outrages."

Nor is that all. Not only does the Turkish Government connive at these outrages, but when the Christians have been fleeced by the incursions of the Kurds, there comes along the Turkish taxgatherer, who cruelly maltreats the Christians because, after they have been robbed, they are unable to pay the taxes. Mrs. Bishop tells us—

"The cruel wrong inflicted upon the Christians is that taxes are demanded from them which the Kurds have left them without the means of paying. The villagers north and west of Lake Van complained that they were mercilessly beaten when they failed to produce money for the taxes. The Zaptiehs tied their hands behind their backs, plastered their faces with fresh cow-dung, threw pails of cold water at their eyes, tied them to the wooden posts of their houses, and beat them severely. In a certain village it was said that the Zaptiehs had tied 20 defaulters together, and had driven them barefooted round and round over the thistles of a threshing floor, flogging them with their heavy riding whips."

Well, I say I have proved conclusively my point that there is no security for life or property at this moment in Turkish Armenia. There is another crying grievance under which the Christians of Armenia are suffering. Their women and girls are being constantly maltreated and abducted. Here, again, the authorities give their assent

and consent to outrage. A legal sanction is given to abduction. The process is this: when the relatives present themselves in court to claim the abducted victim the ravishers are ready with a brace of Moslem witnesses, who declare on oath that the kidnapped woman pronounced in their presence the regular formula of the Moslem faith, "There is no God but God, and Mahomet is his prophet." The evidence on the other side is not heard, or, if it is heard, no heed whatever is paid to it. My hon. Friend the Member for Leicester, at an earlier stage of this evening's proceedings, directed the attention of the Committee to the case of Miss Katie Greenfield, and it is a case which I hope will receive the careful attention of Her Majesty's Government, and as to which I trust they will be able to give some particulars to the Committee. Miss Katie Greenfield is the daughter of an English lady, who is a landowner in a village 45 miles east of So-uj-bulak, near the North-West Frontier of Persia. She is 14 years of age. Last May she was out walking with her servant, an old Kurdish woman, when she was suddenly seized and carried away by a horseman of the name of Aziz, who had been lying in ambush with three other Kurds. They profess that she has become a Moslem, and they refuse to allow the British Consul, Mr. Paton, to have access to her. Some of those who are detaining her are Ottoman subjects, and the Porte, according to its wont, declines to take effective measures for her release. But some hon. Members may say that, whilst the case of Miss Greenfield is one in which we can rightly and properly interfere, because she is a British subject, we have no right or title to interfere in the case of the Armenian Christians. The Under Secretary may get up once again and make another speech which practically amounts to asking the question—"What have we to do with the matter? Am I my brother's keeper?" The hon. Member for Leicester referred to a time—some 200 years ago—when the voice of this country in foreign affairs was a potent voice. The great protector had only to have brought before him cases of gross outrage and abuse, and he spoke out in thunder tones. Did Cromwell ask "Am I my brother's keeper?" at the time of the massacres in Piedmont? Did Milton, when in Cromwell's name he wrote the State letters to the Duke of Savoy, and penned the immortal sonnet beginning with the lines:—

"Avenge, O Lord, Thy slaughtered saints, whose bones
Lie scattered on the Alpine mountains cold!"

In these matters I say we have a right to interfere, and that not only on grounds of humanity, for the very simple reason that we have contracted distinct and definite responsibilities. Our responsibility is immediate and direct. The Turk is kept on his legs by the divisions, and rivalries, and jealousies of the European Powers. The 16th Article of the Treaty of San Stefano gave Russia the sole protectorate over Armenia. But on May 30, 1878, a Convention was made between this country and Russia, wherein it was agreed that the Protectorate should be jointly shared by the two contracting States. Then came the Treaty of Berlin, the 61st Article of which says—

"The Sublime Porte undertakes to carry out without further delay the improvements and reforms demanded by local requirements in the provinces inhabited by the Armenians, and to guarantee their security against the Circassians and Kurds. It will make known periodically to the Powers who will superintend their application, the measures that may be adopted for the fulfilment of this object."

Twelve years have elapsed since the signing of that Convention, and yet nothing has been done, and things have gone from bad to worse. How long is this state of things to be allowed to endure? It is a scandal and a disgrace to Christendom, and not a moment ought to be lost in inducing the Powers of Europe to put such pressure upon the Porte as will induce it to do justice to a long-suffering people, and let the oppressed go free. I beg to move the reduction of the Vote.

Motion made, and Question proposed, "That item A, of £47,460, Salaries, be reduced by £200, part of the salary of the Secretary of State."—(*Mr. Summers.*)

*(6.43.) MR. LEVESON-GOWER: It is with a certain amount of regret that one feels the necessity of telling the same old tale of suffering and misery on the one side, and of oppression, apathy and inertness on the other. But if one is forced to do so, it is because the facts

are still the same. There is no improvement, so far as can be seen, in the state of affairs in that part of Europe to which reference has been made—indeed, if anything, things have gone from bad to worse. Mrs. Bishop, who with an intrepidity, and at the same time I think I can say with an impartiality which do alike credit to her courage and her judgment, has traversed this wild country in pursuit of truth, and that without Party bias of any sort, as I think the right hon. Gentleman the Under Secrerary will himself admit after hearing her very lucid and interesting exposition of her experiences given in a Committee Room of this House not very long ago. The Armenians are not the only persons suffering from the present state of things in that part of the world, but there is also a small community of Nestorian Christians poorer and more destitute of resources than the Armenians themselves. These people dwell chiefly on the Persian frontier, but are exposed to the same exactions and tyranny as the Christian Armenians. As far as I can judge, the origin of this evil is twofold. It lies in the activity of the Kurds and the hopeless irremediable apathy of the Turkish Government and those placed in authority under it. It is said that the Kurds are naturally a wild and nomadic race, whom it is impossible to reduce to subjection. I would point out, however, that on the other side of the Turko-Persian frontier there is a population of 30,000 Christians living in the plain of Urmi in comparative content and quiet, although there are Kurds in the same district, and their co-religionists on the Turkish side of the frontier are exposed to molestations and oppression. Now, what is the reason for this better condition of affairs here? The reason is that 10 years ago the Persian Government felt that the condition of affairs in the from tier provinces was so bad that they read the Kurds a severe lesson, and since then they have adopted agricultural pursuits, and have ceased to plunder the Christian inhabitants. I say, therefore, that what is possible in Persia is also possible in Turkey if the right means of going to work are adopted. Since the troubles in Erzeroum in October last, matters have distinctly and decidedly become worse. According to Mrs. Bishop, the Kurdish population are armed with modern rifles, a constant search is made for arms in Christian houses, and no disarmament of the Kurds takes place. Indeed, the Kurds are being enrolled by the Turkish Government and formed into a kind of irregular militia—a very irregular militia I should say. I quite admit that the intentions of the Turkish Government in this matter may be good. They may think that by putting these people under discipline, however irregular, they are conferring a benefit on the country they inhabit, but whatever the intention of the Government may be, it is not looked on by the Beys and Kurds in that light at all. We are informed that after being enrolled by Zekki Pasha, Commander of the Fourth Army Corps at Eryingian, many of these Kurds passed through the Christian bazaars making gestures in imitation of cutting throats, and told the Armenian merchants they now had the Government on their side. It is also the custom of these armed Kurds to go to the Christian villages to demand whatever they may think fit, practising a system of "forced loans" similar to the "benevolences" of Charles I., and to threaten to kill, and in many cases actually to kill, when their demands are not complied with. There is an impression in many quarters that the Kurds deliberately adopt this policy in the belief that a general massacre would call the attention and arouse the indignation of Europe to their proceedings, but that if they only kill individuals not so much notice will be taken of the matter. Instances of outrage are reported in consequence of which men who at one time were in affluence are now in the lowest depths of poverty, and reduced actually to begging corn for a livelihood. It should be remembered also that these scenes have not occurred in wild, unfrequented districts, but in fertile plains crossed by good roads and the telegraph. As an instance of how Christian villages are plundered, I may mention that from a group of Christian villages in the Passin Plain, within a comparatively short time, 754 cattle were driven away by the Kurds, while the Mussulman villages were left untouched, showing that it is not merely plunder, but a systematic attack which is made on the

Christian population. In that state of things it would not be surprising if there were some disloyalty among the Christians. But I am informed that there is not; that while among the educated Christians there may be some desire for a change of Government, among the lower or peasant order their whole desire is that they should be left to enjoy their property securely and in peace. They will welcome relief from whichever quarter it may come. I would ask the right hon. Gentleman whether he can point to any amelioration or real act of protection during the past year; whether he can deny that the present state of things in Armenia is worse than it was in the summer of last year before the Erzeroum massacres? Our remonstrances are apparently disregarded because there is so little backbone in them. The Sultan's advisers know perfectly well that there is nothing behind those remonstrances. If it were otherwise a very different line of action would be adopted. I believe that if our Government saw fit to take decided action to show that there was something behind our remonstrance more than mere words, they would find a very appreciable difference not only in the tone of the replies but in the action of the Turkish Government towards the Christian populations.

*(7.2.) MR. SCHWANN (Manchester, N.): I rise to express my sympathy with the Armenian nation in their sufferings, and to express my satisfaction that we have now before this House and the country the evidence of an absolutely impartial witness. The Under Secretary for Foreign Affairs has previously pointed out that there was a suspicion that our information with regard to the treatment of the Armenians came from a tainted origin. I now call attention to the independent testimony of Mrs. Bishop, who went to Armenia rather prejudiced against the Armenians. When, however, she saw the sufferings to which they are subjected, the quietness of their habits, and their devotion to agriculture, she changed her opinion entirely, and has written a very realistic and truthful account of what she saw. No impartial person can read the account in the *Contemporary Review*, or have listened to the address she delivered in the Conference Room of this House, without feeling indignation. Her account is one long narration of violence, arson, robbery, and murder, and I am glad to know that she has left the names of the individual cases to which she refers in her articles in the hands of the Under Secretary for Foreign Affairs. She has not been able to give them publicly for reasons which can easily be imagined. In describing her journey, Mrs. Bishop says that at one place where she slept she heard "volleys fired all during the night." The Kurds, she says, took possession of nearly all the crops, leaving only sufficient to ensure that the farmers would have the means of furnishing a future crop when the Kurds should again come that way. The hon. Member for Huddersfield has mentioned a case in which 2,282 sheep and 754 head of cattle were carried off within the year in one valley. But I think the instances given by other speakers are quite enough to convince us that the state of Armenia is at the present time deplorable. The marauders do not call it robbery, but "making demands," and the Kurds imagine that by what are called "individual murders" rather than massacres they will not attract the notice of the great Powers. Mrs. Bishop states that many of these robberies and murders take place within the reach of the Army Corps of the Sultan, and that troops could easily be employed in overawing and controlling the Kurds. It seems to me that the force which is employed to obtain the taxes from the Armenians should be employed in defending them. Mrs. Bishop says that the cruel wrong is that taxes are demanded from the Christians which the Kurds have not left them the means of paying. It is hard to squeeze blood out of a stone, and it seems to me that the Turkish method of extracting taxes from the Christians is of the most cruel description. The position of affairs in Armenia cries out for a remedy, and I believe there are many ways in which Her Majesty's Government might bring pressure to bear upon the Porte—means which it may not be wise or politic to mention in debate. All I can say is that the question is no longer one of politics, but of humanity.

(7.10.) MR. LEGH (Lancashire, S.W., Newton): I think the position of this question in that part of the world to which the hon. Member has referred is in all probability worse than it is in any other portion of the Turkish Dominions. From my own experience, Christian subjects of the Porte in Europe are at all events well able to look after themselves, and if not they are carefully looked after. I think there is some slight exaggeration in the accounts we have received of these Armenian grievances. I have listened to Mrs. Bishop's account of her tour in Armenia, and I have come to the conclusion that there must be some slight pardonable exaggeration in her statement, and I infer that if her account were absolutely correct it would be practically impossible for any Christian to live in Armenia. [An hon. MEMBER: "It is so."] The hon. Member opposite differs from me. I have no doubt that what is going on now in Armenia has been going on for many hundreds of years. I think it will be found, if the Armenian Blue Books are carefully perused, that some of this agitation as to the Armenian atrocities is due to the *Daily News* correspondents at Odessa and other places, and also to a body of wealthy gentlemen styled the Armenian Patriotic Association, established in Manchester. I have no doubt that these influential Armenians are able to make their influence felt, and to get up an agitation in respect of their country. The hon. Member opposite found fault with Her Majesty's Government. I presume that the liability of the Government in regard to the Armenians of Asia Minor is owing generally to the Cyprus Convention and our occupation of Cyprus. Perhaps I may be allowed to point out that the Cyprus Convention was purely a conditional arrangement. We occupy Cyprus as long as Russia occupies Kars and Batoum; the moment she evacuates those places we shall evacuate Cyprus. We are supposed to guarantee the integrity of the Sultan's Asiatic Dominions on the condition that he gives reforms which everybody knows that he is not in the least likely to introduce—at any rate such reforms as will satisfy hon. Members opposite. Assuming we have any liability in this matter, I wish to ask how are we going to enforce our wishes? We are, it is universally agreed, admirably represented by our present Ambassador at Constantinople, and there is no one who is likely to have as much influence with the Sultan as Sir William White. Still, it is not easy to convince a Foreign Government as to the course they ought to pursue, and the only means by which we are able to exercise pleasure is to cut off supplies or employ actual force. The first expedient is difficult, and the second is not to be thought of—at least I do not suppose hon. Members opposite will be inclined to advocate force. The right hon. Gentleman the Member for Mid Lothian employed force in the case of Duncigno, but fortunately in that instance, we were enabled to persuade the rest of the Powers to fall in with our views. It is difficult to persuade Foreign Courts to accept representations that are made to them. The House will recollect that we had representations made by an hon. Member of this House, and also by the Lord Mayor, to the Czar of Russia who, however, declined to receive either the representations made to him or the deputation it was proposed to send. In the same way the Sultan might refuse to listen to our representations, and our Ambassador would have no more right to interfere with Turkey than any other signatory Power which signed the Treaty of Berlin. We have not the means of bringing pressure to bear. If Russia wishes to bring pressure to bear she has the war indemnity at her back, and if the Sultan refuses to grant any wish Russia may express she has merely to remind him that the war indemnity is in arrear and she will get anything she wants. It should be pointed out to these Armenians in Manchester, and to other representatives of Armenia, that it is not the duty of this country to enter upon an Armenian crusade without the assistance of Europe, and that matters must be allowed to go on until Armenia at length becomes a Russian province, whatever we may say or do to the contrary.

(7.17.) MR. LABOUCHERE: I sympathise with a great many oppressed peoples; I sympathise with the Chinese as well as with the Armenians; but I cannot for the life of me understand why we are to look calmly on while the Chinese are oppressed, when at the same time we

are to interfere in the case of the Armenians. If our representations as to the Armenians were to be listened to, I should have no objection to their being made, but representations have been made again and again on such subjects, and yet in all parts of the Turkish Empire Christians are oppressed. I admit that they are more oppressed in Armenia than in European Turkey, and for two reasons; one is that it is very difficult to get at the facts, and the other that Armenia is on the Russian frontier. In Armenia the people are divided between Kurds and Armenians. The Armenians are hostile to the Government of Turkey, and the Kurds are in favour of it; therefore, the Porte is necessarily obliged to accept the service of the Kurds to keep down the Armenians. The only way in which the Kurds are paid for their services is by allowing them to plague and oppress the Armenians. My hon. friend might have given the Committee some suggestions as to how he intends to remedy the present state of things. Representations to the Sultan are obviously useless. We do not, I presume, mean to use the Convention of Cyprus as a means of insisting on the establishment of good government in Armenia. We have to recognise on the other hand that we have guaranteed the whole of the Asiatic Dominions of the Turks. It is said we might bring all the great Powers unitedly to urge the Sultan to treat the Armenians better. But in the first place you would have great difficulty in the present state of Europe in getting all the signatories to the Berlin Treaty to act in the same way. In the second place, if you did this you would have the Turks saying they intend to do better, although in the end you would find they would not do better. What, then, will you do? Do you propose to give to Russia power to intervene, or do you propose to intervene yourselves? If we intervene we shall want troops, and that would involve enormous cost. The only way is to put a ban on the Turks in Europe. They should be cleared out of Asia Minor and European Turkey, where they are nothing more than brigands, and cannot be regarded as really governing the country. They have oppressed all the subordinate races, and will continue to oppress them. Are you prepared to do this? The present Government are not. What, then, can we do? We can only leave things alone. We regret that the Armenians are ill-treated, just as we regret that the Chinese are ill-treated. I have no objection to Russia laying hold of Armenia or the whole of Asia Minor. I believe it would be a desirable thing that the Russians should have an outlet to the sea, because, until she gets that outlet, she will be continually disturbing the peace. I believe that much as we desire to see the Armenians relieved of their oppressors they will not cease to be oppressed, and that the best thing we can do is to encourage Russia to go there.

(7.25.) MR. BRYCE: I wish to ask whether the right hon. Gentleman the Under Secretary for Foreign Affairs intends to answer the observations of my hon. Friend?

*SIR J. FERGUSSON: I will give way to the hon. Member.

MR. BRYCE: I was somewhat anxious to hear what the Government had to say on this subject; but if the right hon. Gentleman refuses to reply, I feel it necessary to make a few observations. The hon. Member for the Newton Division of Lancashire observed that Mrs. Bishop's account was probably exaggerated, and that the present state of things had existed for hundreds of years. I think he was hardly correct in that, although, no doubt, the state of things has not been satisfactory for a long time in Asia Minor, where the Christian population has had a good deal to suffer. I believe the extraordinary occurrences there and the exascerbation and disorder which have occurred are mainly due to the late war. The Kurds were armed, their possessions were lost, and the Turks being annoyed because of what had occurred in Bulgaria, began to oppress the Christians more severely than before. If the Armenians are not entirely extirpated, it is not because the state of things is exaggerated. For my part, I have been unable to find the least exaggeration, and I believe that Mrs. Bishop has given to the Foreign Office a circumstantial statement of the names, places, and dates which she has referred to in her articles. I should like to know whether any attempt has been made at Constantinople to verify her facts and to

take any action in consequence? Mrs. Bishop has said little more than what has been stated in a briefer form by Mr. Clifford Lloyd. If the hon. Member will read the Report of Mr. Clifford Lloyd and the Minutes enclosed of October, 1890, he will see that they fully bear out the details of the reports made by Mrs. Bishop. I will ask hon. Members interested in this matter to compare Mrs. Bishop's account with Mr. Clifford Lloyd's Report. The hon. Member has compared remonstrance with the Sultan in regard to the Christians in Armenia with remonstrance with the Czar respecting the treatment of the Jews. But the two cases are radically different. The Jews in Russia are not under the protection of the Powers. We sympathise, of course, with the Jews, not only in Russia, but in other parts of Europe, and would all be glad if any Memorial or representation from this country could alleviate their suffering. But we clearly have no right to interfere. The treatment of the Jews by Russia is entirely a matter of domestic policy on her part, just as our government of Ireland is a matter of domestic policy on the part of the United Kingdom. We have no right, therefore, to officially interfere. As to the Sultan, the case is very different. The Christians of Armenia are under the protection of Europe. At first, by the Treaty of San Stefano, Russia undertook the protection of the Christians in Turkey. But that Treaty was objected to by Lord Salisbury. A Congress was called and met, and the result was the Treaty of Berlin, by which the Christians were withdrawn from the protection of Russia and placed, first under that of the Powers of Europe; and, secondly, under our own protection. We are much more bound morally than any other European Power, because we deprived these people by our action of the protection which Russia had guaranteed them. That is so under the Cyprus Convention, which, however, has been described as a lapsed engagement, and I hope that while the Government will lose no opportunity of impressing upon the Porte the fact that it is a lapsed engagement, it will not be forgotten that by it we undertook the protection of these Armenians. I submit, therefore, that there is a moral responsibility as well as a legal responsibility resting heavily on this country which amply justifies any representations that can be made to the Porte on the matter. There are one or two special points on which I should like to say a few words. The hon. Member for Huddersfield has referred to the arming of the Kurds. That act is a significant index of the attitude of the Turkish Government towards its Christian subjects. Here you have robber troops and fanatics living by plunder, and accustomed to descend upon their Christian neighbours, carrying off their flocks, abducting their children and killing them, chosen by the Turkish Government to be provided with a fuller equipment for their work of slaughter, pillage, and outrage. On a former occasion the Under Secretary compared the arming of the Kurds with what was done with the Highlanders of Scotland after the insurrection of 1745. But he should remember that these Highland regiments were sent to maintain the glory and increase the dominions of England abroad, that they were called upon to fight in all parts of the world, and that to them we owe many of our conquests. The cases of the Kurds and the Highlanders cannot, therefore, be said to be parallel. For the arming of the Kurds it has also been attempted to find a parallel in Indian policy. But would not the parallel have been more complete if the fanatic troops of the Black Mountains on the borders of the Punjab had been planted in the North-West Provinces, and given an opportunity of murdering their Hindoo neighbours by the withdrawal of British Forces? I should like to ask whether the vacancy caused by the death of Mr. Clifford Lloyd last January has been filled up, and if not, why not? Is there any truth in the rumour that it is intended to make any alteration in the existing arrangements, and to transfer the Consulate from Erzeroum to Trebizond, having only a Vice Consul at the former place. Erzeroum is in the centre of Armenia; it is the place where conflicts have recently occurred, and we need there a man of force, of character and experience, and one who will have weight with the Pashas of the district. No doubt Trebizond is a good centre for the collec-

tion of information, but that work can be done just as well by a Vice Consul as by a Consul. I have inquired the views of gentlemen of high official position on this point. I am not at liberty to mention names, but they have expressed to me in very strong terms their sense of the imprudence and unwisdom of making any such change. They hope that Erzeroum will continue to be the centre of British influence and authority in that part of the world. I have little more to say now. I hope the Under Secretary will tell us what special efforts the Government have made during the last six months on behalf of these Christian populations. I agree with the hon. Member for Northampton that it is not easy to get the Turks to listen, but I fear that the Foreign Office have never shown that they have made such efforts as we have a right to expect them to make, or that they have put sufficient pressure on the Turks. Mr. Clifford Lloyd and other high authorities have been of opinion that if sufficiently vigorous pressure were brought to bear on Turkey it would certainly have the effect of bringing about an amelioration in the treatment and condition of the Christians of Armenia, and we want Her Majesty's Government to use that pressure. The right hon. Gentleman is well aware that there are clouds on the Asiatic horizon, and that the only way of averting dangerous outbreaks is by bringing about reforms. I have endeavoured to present my case entirely apart from any question of Party politics. I have put it forward solely on the grounds of humanity, and I hope, under the circumstances, the right hon. Gentleman will feel it is not only our right, but also our duty to inquire from time to time what action the Government are taking, and how they are endeavouring to discharge the responsibility which this country has incurred, and by which, in the eyes of Europe, it is bound,

*(7.42.) SIR J. FERGUSSON: I am sure the hon. Member for Aberdeen will acquit me of any want of respect in not rising until he had spoken. It was stated by the hon. Member who preceded him that he was going to speak, and, therefore, I thought it was well, especially as I should be the only Member of the Government who would address the House on the subject, to wait and hear what the hon. Member had to say before I replied. The modern practice of taking Votes on Account has its advantages and disadvantages. One of the latter is that we have to state the case and discuss it twice over. The subject in question, for instance, was fully dealt with in March last, and the Reports of Mrs. Bishop were referred to in the Debate that then took place. I am afraid, therefore, I have not much that is new to tell the Committee on this occasion. There are, however, things said on these occasions which one cannot accept as seriously advanced. If we were to embark in the enterprises shadowed forth by the hon. Member for Huddersfield we should require a very large military establishment indeed. We are all aware that the state of administration in Kurdistan is deplorable, but wherever particular instances have been brought forward in which the administration has failed to preserve the liberties of the inhabitants, representations have been made to the Porte, and not without good effect. Measures have been taken to improve the administration, and I was disappointed to find that Mrs. Bishop in the journey she took saw so little proof of the more efficient Governors who, as our Representatives informed the Foreign Office, had recently been sent by the Porte to that part of the world. In Papers, which will no doubt be laid before Parliament, there is distinct testimony from our Representatives at Van and Erzeroum and elsewhere as to the benevolent intentions on the part of the local authorities. Wherever, I may say, representations have been made, either of misconduct or of want of efficiency in an official, those representations have been listened to. But what is it hon. Members ask? The hon. Member for Huddersfield says he looks forward to the time when Macedonia and other Turkish Provinces shall pass from the rule of Turkey. The hon. Member for Northampton used still stronger terms. He used language most insulting to the Government which the Foreign Minister is asked to approach in order to ameliorate the condition of its subjects. Reference has been made to the advantages of a knowledge of political economy for the Diplomatic Service; I venture to think that a rudimentary

knowledge of the principles of diplomacy would be a profitable study for hon. Gentlemen who counsel such approaches to a foreign Government, and at the same time fill their speeches with insults, threats, and menaces to that Power. Is it conceivable we should approach the Government of the Sultan with any advantage when that Government can point to speeches in the British Parliament by gentlemen who say they wish to see the Turks driven out of Europe, and provinces detached from the Turkish Empire? All I can say is, that is not my idea of the way to produce any good effect, and I believe it is more calculated——

MR. LABOUCHERE: I did not suggest that any representations should be made to Turkey. My contention was that we might just as well talk to a blind ass as to Turkey.

*SIR J. FERGUSSON: That is most unfitting language—I will use no stronger term—to use towards a Power friendly to this country. It tends to deprive Her Majesty's Government of any hope of advantage in endeavouring to carry out the wishes of the House. I can only repeat that Her Majesty's Government have instructed our Ambassador at Constantinople to lose no fitting opportunity of counselling the Porte to carry out more efficient reforms in Armenia; and that Sir W. White has lost no opportunity of following those instructions. In my opinion, the suggestion of a Conference to concert measures for the better government of Asia Minor could not be followed with any prudence. We could not expect to be supported in the Conference by Powers which do not second our efforts at the Porte. With reference to the Cyprus Convention, I went too far, perhaps, on one occasion in speaking of it as a lapsed Convention; I should rather have said a Convention in abeyance, because it was a provision of that Convention that we should concert measures with the Porte for the better government of the Asiatic Provinces. The Porte, as is well known, is never willing to concert with any foreign Power in the government of its Provinces. We have always been ready to fulfil our part in connection with that Convention, and have gone, perhaps, beyond our rights in constantly offering counsel to the Porte, although we have not been admitted to concert. Nor do I think hon. Members are entitled to speak with such disapproval of measures that are intended to form some of those Kurdish tribes into regiments. I did not draw the parallel in this matter with what was done with the Highlanders; but, when others did so, I pointed out how clans which had at one time been infinitely troublesome to their peaceful neighbours had become useful subjects of the British Crown, and I believe it is the case that some of the hill tribes which fought most fiercely against us in India have proved orderly and useful soldiers. The discussion of this matter is rather apart from our own business, but I will ask whether these Kurds are more likely to be brought into order by being subjected occasionally to the punishment of the Turkish Governors, or by being brought under regular pay and discipline? I should say that the latter course, if properly carried out, is far more likely to keep them in order. The cautions that have been offered will, I hope, induce the Porte to take such precautions as will prevent the evil effects hon. Members fear. I have been asked whether any measures have been taken in consequence of the representations that Mrs. Bishop has made. Yes; Sir W. White was instructed to remind the Grand Vizier of the experience of Mrs. Bishop in Kurdistan, and the evidence she has brought of the necessity of much stricter measures for the repression of disorder. It would be difficult to ascertain the exact truth of the statistics given, but I have no doubt that in the main Mrs. Bishop saw districts exposed to the ravages of wild tribes. I think she has been more successful in bringing matters home to the Porte than those who have made previous representations have been, and I trust that the result will be that more efficient steps will be taken for the protection of the Christians in the unsettled Provinces. Here, however, we ought not to exaggerate our responsibility in connection with this matter. I strongly deprecate the use of unseemly language, which, if persisted in, is likely to render the Ottoman Government perfectly insensible to any representations that may come from this country.

(8.2) SIR W. HARCOURT (Derby): I would not have risen to take part in

this Debate but for a sentence which fell from the right hon. Baronet. On this side of the House we have always strongly disapproved of the Anglo-Turkish or Cyprus Convention, because it binds Great Britain in the future to act in a warlike manner upon circumstances which it was impossible to foresee. In that Convention we made, what I consider, a most unwise and most monstrous and most mischievous condition, namely, that we were on certain conditions to guarantee the maintenance of the Asiatic possessions of the Porte. The language of the Under Secretary to-night with respect to that Convention may, I think, be regarded as satisfactory. The right hon. Gentleman has spoken of it as a "Convention in abeyance." Well, we know that titles in abeyance are often not called in abeyance; they cease to exist. I wish to note specially what the right hon. Gentleman has said as to the conditions upon which the Anglo-Turkish Convention is founded not having been fulfilled, for it is very important. The conditions of the Convention not having been kept, our hands are, of course, left perfectly and free unfettered. That was the view taken in 1880 by the Government of the right hon. Member for Mid Lothian, and it is a view which I still hold very strongly.

Motion, by leave, withdrawn.

Original Question again proposed.

*(8.7.) MR. BALLANTINE (Coventry): I desire to call attention to the agreement for arbitration with France in relation to the Newfoundland Fisheries. The first observation I wish to make is that the choice of arbitrators is not calculated to inspire confidence. The Board of Arbitration consists of a Russian, a Swiss, and a Norwegian, and by the terms of the arbitration agreement their decision is final. The only question left for arbitration is that relating to the lobster fisheries. These fisheries have only existed for the last seven or eight years; consequently, whatever the result of the arbitration may be, the main question will be left unsettled. I submit that this lobster fishery question ought never to have been submitted to arbitration at all. The Treaty gives France the right to catch fish and dry it on land, but it is not lawful for them to erect any buildings except stages made of boards and huts necessary and usual for the drying of fish. Assume the French have a right to catch lobsters. They cannot prepare them without erecting factories, which are plainly against the words of the Treaty, and our duty is to insist on the stric words of the Treaty on behalf of the colonists. Why do less than the French for their subjects? Mr. Waddington stated on June 21, 1886—

> "A resolution has been taken by us to exercise to the fullest extent and with the utmost strictness rights which we possess by the Treaties."

Moreover, the effects of the arbitration in its decisions will be utterly disproportionate between the colonists and the French. The colonists have 70 factories and the French only six. So if the decision should be against the French six factories only will be closed, whereas if it goes against the colonists 70 factories will have to be closed, and great destitution and misery will thereby be caused. On several occasions our officers in Newfoundland have represented that if the lobster factories are closed very distressing consequences must ensue. By the Treaty of Utrecht, as hitherto understood, France is prohibited from erecting permanent factories; but the terms of the arbitration are so wide that the arbitrators can interpret the Treaty as they please, and, as a matter of fact, the French have already built permanent factories, as is shown in various Reports sent to this country. If the arbitrators' award is in favour of France, can it be doubted that these permanent buildings will be left standing and used as bases for further encroachments? As to the arbitrators themselves, I cannot see how the Government can have any knowledge of their qualifications. I remember that in a French *opéra bouffe* one of the chief characters was described as a Swiss Admiral, and it seems as if the Government had been imitating——

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I appeal to the hon. Member whether it is wise, when we are entering into an arbitration, to discuss the qualifications of the arbitrators. I think it would be against the public interest for the hon. Member to proceed

with the argument which he is apparently about to submit to the Committee. I venture very respectfully, but earnestly, to suggest that it is against the interests of the country to engage in such a discussion as the hon. Gentleman is initiating.

*Mr. BALLANTINE: I am glad to accede to the wishes of the right hon. Gentleman. But intimately connected with this subject is the question of the sovereign rights exercised by the French, owing to the negligence of our Foreign and Colonial Offices. The French merely possess by Treaties an easement, namely, the right to fish and dry fish on shore. King George III. made the following declaration:—

"His Britannic Majesty will take most positive means for preventing his subjects from interrupting in any manner by their competition the fishery of the French during their temporary exercise of it"—

meaning, of course, that he would undertake all measures of police on the coast himself. Owing to neglect by our Governments the French have taken upon themselves this duty. Their war vessels are in the territorial waters; they claim to determine when any infraction of the Treaty is committed, and to take redress into their own hands in the absence of English cruisers. Speaking in another place the Prime Minister said that even if we were at war with France, France would not take the trouble to land in Newfoundland. The reason of that is that in consequence of the laxity of our Government they may land in Newfoundland in time of peace. This is what M. Waddington gave as his conception of the duty of the French officers—

"Our officers are directed to seize and confiscate all instruments of fishing belonging to foreigners, resident or otherwise, who shall fish on that part of coast reserved for our use."

In obedience to these directions French officers have taken up the nets belonging to English subjects, causing great damage. The owners applied for compensation, but all the answer they got was a complete justification for the action of the French officers.

*Mr. A. STAVELEY HILL (Staffordshire, Kingswinford): I sympathise most fully with the colonists, but I feel that, as the matter is entering upon the first stage of arbitration, it is unwise to discuss it. I appeal to the hon. Member for Coventry not to pursue the discussion, and let us see what will be the result of the arbitration. I much regret that the arbitration should have been of so limited a character, and I must say that one order I have seen with dismay—that instructions have been given to put down a certain number of English lobster factories. I should like to know whether the French factories will be put down also.

*(8.26.) Sir J. FERGUSSON: I should like to be permitted to say that I cannot imagine anything more unfortunate than a debate on this subject at the present moment. The matters are of the greatest delicacy, and they are only prevented from going into the acute stage by the mutual forbearance of each Government and their officers. We are now proceeding to submit one branch of this great question to arbitration. I venture to think that the House would do well to leave the question alone, hoping for the best—for the settlement which we hope to reach of this question. The closing of the factories referred to can only be to give effect, under the Act of Newfoundland, to the *modus vivendi* that no new lobster factories shall be opened by the subjects of either country.

Sir G. CAMPBELL (Kirkcaldy, &c.): I have always regarded arbitration agreements with the greatest satisfaction, and I agree with the Chancellor of the Exchequer that it would not be wise to enter into the details at this stage. I am extremely pleased that instead of a political arbitration we are to have a purely judicial arbitration. I do not know anything about the arbitrators, but I think it is probable that a very good selection has been made. I hope, too, we may appeal with confidence to our fellow-subjects in Newfoundland not to work against the *modus vivendi*. If 60 lobster factories have been erected, they must have been erected in opposition to the arrangement.

Mr. MORTON: I should like to know whether we have had the same opportunity of considering the terms of the arbitration as the French Legislature? I feel that the colonists are

in a bad position, and I should be sorry to say anything which would endanger that position.

*(8.30.) MR. SCHWANN: I desire to take this opportunity to ask the right hon. Gentleman if he can give us some explanation of the state of affairs on the Congo? Of course, I know we have no right to interfere with the internal government of the Congo Free State, but there are a number of English subjects there, and they, for a long time, have found their rights and position imperilled by the action of the Congo State Government. The general feeling among them is that the interests of the English traders are not sufficiently protected. The distance at which the English Consul resides involves a long and costly journey of some 400 miles, in some cases, before complaints can be placed before him. Commercial enterprises established for many years are prejudiced by the tariff imposed, and practically a large amount of capital and the result of years of commercial industry is confiscated by the State. The grievances under which these merchants suffer have come under my notice in correspondence from Mr. R. E. Dennett, of Banana, who carries on the business of a merchant there, who is the son of the Rev. Dr. Dennett, sometime attached to the Consulate as chaplain at Valparaiso, and now residing at Ashton Rectory, near Chudleigh, Devon, proves him to be a man of education and position, well entitled to belief. From the fact that he has authorised me to make his name and statements public, and that doing this is likely very much to prejudice his position in the Congo State, it is evident he feels a very strong sense of wrong. But there are points he draws attention to apart from the want of support received by English merchants on the Congo, acts of officials in the State, not at all such as are imagined by the outside world, and the facts are of such a character that, it seems to me, though we cannot absolutely interfere, they may well be made the subject of inquiry and remonstrance, through the King of the Belgians. Mr. Dennett refers to instances of actual slavery under the guise of commerce, and in a recent letter he says—

"The State send their soldiers out into the roads and fields to seize all the women that are planting; these are then exchanged for so many carriers. I actually heard an *employé* of the Belgian Company telling the Chief of the *Magasins Generaux* that the quantity of carriers the State received entirely depended on the quantity of soldiers they had;"

—that is to say, upon the number of women they could capture to exchange for carriers—

"A Mons. Bureau—a Belgian officer—as a ransom for a prisoner, claimed so many sheep and goats; her unfortunate relations had not the number and could not therefore pay the ransom. It was proposed that the relations should give the *Commissaire du district Matadi*, the said Mons. Bureau, two female slaves, to finish the palaver. The people brought two old women, but these were not accepted. Mons. Bureau now, however, keeps the young girl, eventually given to him, as his concubine. I have looked through the *Code Napoléon*, but cannot find anything there to justify Mons. Bureau. Mons. Deghilage, an official of the Congo Free State, murdered two poor negro boys in the short space of three-quarters of an hour by thrashing them to death. Even the Belgians inquired into this atrocity and found the man guilty. The Judge and *Commissaire du district Vandorp* publicly let out that he meant to fine the brute £10 per victim, and this three weeks before the case was actually judged. Mons. Deghilage, who was then chief of the station, has since been promoted, and is now busy recruiting and looking for a new route to the new slice of Portuguese territory the State has annexed. This beast dances naked with the natives by way of recreation."

Well, a great many other complaints are brought against officers of the Congo Free State by Mr. Dennett, but I will not weary the Committee by repeating them. I believe the right hon. Gentleman the Under Secretary for Foreign Affairs has knowledge of some of the complaints which have been put before him, and perhaps he will be able to give us some explanation to-day, either a denial, or that he will say a proper remonstrance has been addressed to the Congo Free State. Personally, of course, I have no knowledge. I make the statements on the authority and responsibility of Mr. Dennett, who has no wish to have his name concealed. I do not wish to delay the Committee, but I hope the right hon. Gentleman will be able to give a satisfactory reply.

*(8.35.) SIR J. FERGUSSON: In the first place, I am rather sorry that the hon. Gentleman should have brought these charges in the House against the conduct of certain Belgian officers upon statements privately made.

*Mr. SCHWANN: They have been made publicly.

*Sir J. FERGUSSON: I am not aware of that. I believe that whenever such allegations have been made they have been emphatically denied. It is not my business to have knowledge or express an opinion on the action of Belgian officers in the Congo State. I am in no way responsible, but I do regret that debate in this House should be made the vehicle for such accusations against officers in the service of a friendly nation. Such charges should be made in a quarter not protected by Parliamentary privilege, where they could be subjected to proof. If it is alleged that British merchants are treated in any way contrary to the law in the State, or to Treaty, undoubtedly any specific case submitted with particulars will be immediately inquired into; but allegations, vague and general in character, cannot be made the subject of inquiry. If anybody is aggrieved by the action of officers of the Free State, and can show a *primâ facie* case that his treatment is in violation of Treaty rights, an application for redress of grievance will have immediate attention, and this is all, I think, I can say. The hon. Member for Peterborough just now asked me a question in reference to the Newfoundland arbitration, and to this I have to say our position is this: Her Majesty's Government would be most happy to come to any arrangement that would be mutually satisfactory to the French Government and the Newfoundland people. We have no separate interest in the matter. The terms of arbitration will be agreed upon to the satisfaction of both parties I hope, but it will not be necessary to take the sense of the House upon the arrangement, or discuss it here, for it is no part of our constitutional system that we should do so.

(8.39.) Sir G. CAMPBELL: There is one more subject I desire to refer to, the Niger territory. There have been some very serious complaints as to the condition of affairs there. The territory has been handed over to the control of one of those Chartered Companies, of which we have had several established in recent years, only one of which I believe is being worked for profit as a commercial undertaking. Complaints and allegations have been staved off by Her Majesty's Government, because they sent a Commissioner to inquire as to what was going on, and we were told we must wait the result of Major Macdonald's inquiry. We waited in patience the result of his inquiry, we had reason to believe that Major Macdonald was a very competent officer, and we expected that his Report would throw some light on these dark places, and this Niger territory is a dark place of which we know little or nothing; the glimpses we have only creating suspicion. But now we find that the result of this inquiry is not to be made known; the Government positively decline to make the Report public. That seems to me is likely to create the impression that there are things it is not convenient to make public. I think we are entitled to ask the right hon. Gentleman to explain to us a little more fully than he has done in his answers to questions why it is, after his many references to this Commission of Inquiry, he so positively refuses to give us any information as to the contents of the Report?

*(8.41.) Sir J. FERGUSSON: I would remind the hon. Gentleman that on many occasions when I have been asked questions about Major Macdonald's Report, I have said that the Report was intended to be confidential.

Sir G. CAMPBELL: Only since the Report was received; not before.

*Sir J. FERGUSSON: I beg pardon; more than once while Major Macdonald was on the Niger I said that his Report would be confidential. I am sure I did so. The fact is that, so far as we know, there is no occasion to publish the Report. If there were a *primâ facie* case of anything improper, any wrong or injustice to traders or population, there would be reason perhaps for inquiry, possibly a Parliamentary Inquiry, but to the best of my knowledge there is nothing of the kind. Undoubtedly, there were one or two cases of suspicion of natives being killed by Europeans, and these were dealt with according to law, but I am not aware of any case which renders public and special inquiry necessary. If anything is alleged against the action of the company it will, of course, be inquired into. I am glad to say there has been a delimitation of the territory of the Chartered Company and the Oil Rivers

District which will remove causes of trouble which have been referred to by the hon. Member behind me, and lead to harmonious management in the future. (8.45.)

(9.17.) MR. MORTON: Up to the present time I have not been considering the money mentioned in this Vote at all. There are a number of items I should have liked to call attention to, but under the circumstances I will only refer to one which I will move to omit. I refer to the item of £300, an extra allowance to the Permanent Under Secretary of State for the administration of the Secret Service Fund of the Foreign Department. I move to omit this item on the principle on which I object to Secret Service money altogether. Some time back the late Lord Hammond was paid £600 a year for the management of this fund out of the Secret Service money itself. Now there appears to be £300 a year paid to the Permanent Under Secretary, but, so far as I can see, it is only for the management of that portion which is used in connection with the Foreign Department. Presumably, there is someone else who is also paid out of the Secret Service Fund itself for the management of the rest. I believe that all payments that are made out of this fund ought to appear on the Votes. We ought to know all about them. We want to prevent the expenditure of money on bribery and corruption, and everything that the Government is afraid of being known to the House of Commons. I have no doubt I shall be voted down, but I must say it seems to me that the Permanent Under Secretary, who receives a salary of £1,500 a year, and who, I presume, does the work in connection with this Secret Service money in ordinary business hours, is sufficiently well paid without this extra £300. I should like to get some explanation from the right hon. Gentleman the Under Secretary as to whether this £300 is paid in excess of the salary the Permanent Under Secretary receives. Even if we do not get rid of the Secret Service Vote altogether, we ought not to pay extra allowances if the work is done in our time.

Motion made, and Question proposed,

"That Item A, of £47,460, Salaries, be reduced by £300 (Extra Allowance to the Permanent Under Secretary of State for the Management of the Secret Service Fund.") —(*Mr. Morton.*)

*(9.22.) SIR J. FERGUSSON: I would point out to the hon. Member that the answer which was given 20 years ago by the right hon. Gentleman the Member for Mid Lothian has ever since been the text of successive Governments in replying to this question. The short effect of that reply is that the administration of the Secret Service money, which is a distinct fund, has to be placed in the hands of a very high official, who, from the very nature of the case, cannot receive that amount of assistance in dealing with the fund which he receives in connection with his ordinary duties, that the duties are responsible and onerous, and that £300 is not an excessive remuneration for the services rendered. Originally £500 was charged on the Secret Service money for these services of the Permanent Under Secretary, and that continued to be the rule until 1872, when the charge was placed on the Foreign Office Vote. A very active reformer in this House—Mr. Rylands—objected to the payment out of the Secret Service money, and induced the Government to place it on the Votes of this House. That has, accordingly, been done since, and successive Governments have recognised the fact that taking charge of this fund—which is not spent for an unworthy object, but solely in the interests of the public—deserves at least the remuneration of £300 a year.

MR. MORTON: Is this £300 given for the management of the whole fund or only for that portion connected with the Foreign Department?

*SIR J. FERGUSSON: For the management of that portion which relates to the Foreign Office.

MR. MORTON: Then somebody else, I suppose, is paid for managing the other portion?

*SIR J. FERGUSSON: I do not know.

MR. MORTON: Under the circumstances, I will not trouble the Committee to divide on this; but I will raise the question again on the Secret Service Vote.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

Resolution to be reported.

2. Motion made, and Question proposed,

"That a sum, not exceeding £27,382, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for the Colonies, including certain Expenses connected with Emigration."

(9.26.) MR. LABOUCHERE: I propose to move to reduce the salary of the Secretary of State by £100, in order to direct the attention of the Committee to his conduct with reference to the Chartered Company of South Africa. I myself am opposed to all these Chartered Companies. I agree with the views which have been very ably expressed by the Under Secretary of State for India with regard to them. But assuming that there ought to be Chartered Companies, it is admitted that financial questions are a secondary consideration, and that their real purpose is connected with philanthropy or the development of the Empire or something of that kind. But I am sorry to say that the South African Company is a financial scheme in the worst sense of the words, and people are led by the connection of the Government with it to believe that its shares are a sound investment. They ought to know that the Government is not responsible, but they do not. I think the Committee will be astonished when it hears what the financing of this company has been. There is a territory called Matabeleland and Mashonaland, ruled over by Lobengula, a Chief rather than a King. A mining concession was obtained from him in regard to this territory. In 1888 two sets of financial gentlemen sent emissaries to Lobengula to obtain the concession, one of them consisting of a Mr. Bight, Mr. Cecil Rhodes, Mr. Rudd, and one or two other gentlemen.

THE CHAIRMAN: I do not quite see what the action of the Chartered Company in 1888 has to do with this Vote.

MR. LABOUCHERE: My contention is that the Secretary of State ought never to have recommended a charter to that company, and that because he has done so he deserves to have some reduction made in his salary for not having better fulfilled his obligations and duties. I am obliged briefly to show what the financial position of the company is, and under what circumstances the charter was given.

THE CHAIRMAN: The charter was not granted by the Department of the Secretary of State. What we have to discuss here is the action of the Secretary of State towards the company.

MR. LABOUCHERE: The Secretary of State, instead of finding out who the persons were who sought for this charter, and whether they would make good use it, allowed it to be given to persons who had abused his confidence. Now, I hold that the Secretary of State ought to have been informed of all these facts, and that, being now informed, he ought to get up and say, "Now that I know what has taken place, I will make immediate inquiry into the whole matter. Give me a little time, and I will make full and ample inquiry." These gentleman and the Exploring Company obtained a concession for mining rights, and nothing but mining rights. Then the Central Search Company was formed, and the two sets of gentlemen sold their concession to that company for £92,000. In the Session of 1889 I was frequently told by the right hon. Gentleman the Under Secretary that no charter was to be given, and yet, as soon as Parliament broke up, I discovered that one had been given. In the following Session the right hon. Gentleman said he had informed Parliament of the intention to grant a charter in reply to a question put by the hon Member for Kirkcaldy. I certainly think that this was rather sharp practice. I maintain that the charter ought not to have been granted while Parliament was not sitting after the repeated statements of the right hon. Gentleman during the Session that a charter was not to be given. Then the Secretary of State said that gentlemen of importance must be connected with this concession in order that a charter might be given, and it was thought that the Duke of Fife and the Duke of Abercorn fulfilled this condition; but I am sure the Chancellor of the Exchequer will bear me out in the statement that it can hardly be supposed that those two noblemen are great financial geniuses. The charter is of a very large and wide description, as it gives the company full power of Government in Matabeleland and Mashonaland. The capital of the company is put down as

£4,000,000, of which £27,000 is the utmost that was ever paid in cash. This was done in order to foist the company upon the public, and investors in England actually gave £6 or £8 for shares for which only 3s. had been originally paid. I think, therefore, there is some cause for the Secretary of State looking into this matter, and openly stating that he and the Government are in no way responsible for this financing, and warning the public that, although there is a Chartered Company, all that glitters is not gold. The Secretary of State interfered actively to aid and abet the company in obtaining possession of Matabeleland and Mashonaland. Colonel Carrington was directed by Her Majesty's Government to aid in procuring a large police force, which was to be under the command of the Chartered Company in Matabeleland, and that gentleman told persons that if they joined the police force they would not only receive pay, but also a farm. The Under Secretary of State afterwards said, in reply to a question put in this House, that all the promise meant was that a farm would be given to the men when the company had a farm to give. The whole thing, therefore, is a perfect absurdity. Then the company prevented persons from entering Mashonaland and Matabeleland unless they signed an undertaking to obey the laws of the company, and, in addition to this, they exacted trade licences. What I want is an assurance from the right hon. Gentleman that he will look thoroughly into all these matters. When I asked the right hon. Gentleman from whence he obtained his information, the right hon. Gentleman admitted that he had got it from the *employés* of the company, who naturally gave a very favourable account of the doings of their own company and, therefore, one that ought not to be implicitly relied upon. Then, again, I have frequently seen it stated that there was a very large black population in these territories who might be put to useful work. He knows, however, what has happened in Cuba and other places where a black population have been put to useful work in the mines, and I shall protest against this large black population in South Africa being put to "useful" work of a similar kind. I hope that the right hon. Gentleman will be able to tell the Committee that some reliable and independent person will be appointed to look after the interests of the black population in these districts, and to see that they are fairly treated, and that no attempt is made to force them to work against their will. I shall also be glad of an assurance that Her Majesty's Government will watch to see how the powers conferred upon the company by the charter are administered, and that nothing is done in the territories under their control which will be injurious to the Public Purse, to the public welfare, to commerce, or to industry.

*(9.40.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): If the hon. Member will read the terms of the charter he will find that it contains ample provisions for the intervention of the Imperial Government in the event of the company violating the conditions it imposes upon them. I am afraid that I can give the hon. Member no information on the subject of the finances of the company, because, as I have already repeatedly stated, Her Majesty's Government are in no way responsible for the finances of the company, and I desire that that fact should be thoroughly understood. The hon. Member appears to think that the company has violated the conditions of the charter by acquiring further concessions than those which they had at the time that the charter was granted, but the fact is that they were expressly authorised by the terms of the charter to obtain further concessions. He also alleges that there has been something underhand in the way that the charter has been obtained, but I informed the House in 1889 that it was the intention of Her Majesty's Government to grant a charter to the South Africa Company, and the necessary period prescribed by law in order to permit of objections to the granting of the charter having elapsed, the charter was granted in due course, after the objection to it made by the hon. Member had been discussed.

MR. LABOUCHERE: That was before the charter was granted.

*BARON H. DE WORMS: Certainly it was, because it would have been useless to have attempted to raise the objection after the charter had once been granted.

I will not follow the hon. Member in his objections to Dukes taking part in the management of the company's affairs, because it is possible that a high position may add to a person's capabilities for management, and afford an additional guarantee of their being in the highest degree respectable and responsible. [Mr. LABOUCHERE: No.] However that may be, up to the present time there was no reason to doubt that every condition that had been imposed in the charter had been fulfilled by the South Africa Company. The hon. Member said that he had been informed that every person entering the company's territories was bound to give an undertaking that he would obey the law, but that was a condition which it was usual in all civilised countries to require from those who sought to be domiciled in them. In uncivilised countries, where there was no law at all, such as that over which the company exercised its jurisdiction, it was certainly not too much to ask from those who sought to take up their residence in them that they should undertake to acquiesce in regulations that were intended to preserve law and order. That is a proposition which I do not think even the hon. Member will dispute. Then the hon. Member said that he understood that certain payments had been exacted from those who entered the company's territories. That is perfectly true, because a licence has to be taken out by such persons. I, however, do not think that the hon. Member, with even his advanced views, will consider that it is improper that he should be called upon to pay police or paving rates. The South Africa Company are bound by the conditions of their charter not only to maintain law and order, but also to make roads and telegraphic communications at their own expense, and certainly they are justified in recouping themselves for the expenditure which they have been compelled to incur by making a small charge for a licence. As far as the treatment by the company of the black population was concerned, the hon. Member has not brought forward one single case where the natives have been treated otherwise than with humanity. The hon. Member has complained that Colonel Carrington has been engaged in obtaining recruits for the company's police. The facts in connection with that circumstance are very simple. It was absolutely necessary, in the interests of law and order in the company's territories, that a certain number of police should be obtained, and nothing could be more natural than that the services of a military man like Colonel Carrington should be retained for the purpose of selecting the men who were most fit for the service, and who were to be employed at the expense of the company. I am sure that the hon. Member will agree with me that it would have been improper to have allowed the company under the sanction of a Royal Charter to have occupied such large territories without requiring them to find means for the preservation of law and order. The hon. Member may take it from me that Her Majesty's Government will have nothing to do either with the finances or with the administration of the company as long as they do nothing to infringe the terms of the charter. If it is brought to the knowledge of the Government that the company are violating the terms of their charter in any way the Secretary of State will at once act, and the company will be compelled to comply with those terms. I trust that the explanation I have given the hon. Member will be satisfactory to him.

*(9.55.) MR. MAGUIRE (Donegal, N.): I hope that I shall be permitted to state to the Committee what the financial arrangements of the company have been. In 1886 or 1887 various expeditions were sent out to Bechuanaland and other parts of South Africa with the view of obtaining mining and other concessions, and with the object of developing the country. Many of those expeditions were unsuccessful, but in 1888 Lobengula, finding that he was no longer able to control those who entered his country and seeing that it must be developed, placed his whole mining rights in a body of persons who were represented by Mr. Rudd and other gentlemen. This body of persons found that it would be necessary to include others in their group, who had either obtained personal licences to mine, or had acquired a position of influence in the country. Relations were established with Lobengula, and steps taken to accustom the natives to the presence of the white people. Various goodwills

and interests were acquired. The amount expended was about £50,000 or £60,000, and for the purpose of convenience the whole thing was put into a private syndicate. It must not be supposed that £121,000, about £27,000 being working capital, which additional sum was also spent, was the real value of the concessions; it was merely a figure adopted for the purpose of apportioning the shares among the various people interested. Then the position in the middle of 1889 was that there was a private syndicate, with a concession and various good-wills and interests, and that syndicate had to consider what to do. Capital was necessary in order to develop the country. The syndicate had three courses open to them. They might have sold their concessions for a lump sum of money; or they might have formed a large company with a capital partly in cash and partly in fully paid up shares. But both those courses would have been open to the objection that the concessionaires were anxious to part with their interests before they had shown not merely the value of them, but that they had any property at all. They, therefore, adopted the third alternative of forming a company—the British South Africa Company—leasing to it certain rights, and themselves undertaking certain obligations. It was considered fair that the concessionaires should retain 50 per cent. of the net profits. There was no request made to the public for subscriptions, a capital of £1,000,000 was privately subscribed, the greater part of it by the concessionaires and their friends, and thus there was on the one hand the developing company with this fully paid cash capital of £1,000,000, and on the other side what may be called the founders' shares, with a nominal capital of £121,000, coupled with an obligation to pay £400,000 for constructing a railway into the interior of Africa. That was the financial position at the time the Charter was granted. It had always been intended to have floated a large company to represent the interests acquired under the concession, and some people had been promised shares or their value at par. Therefore the time came when it was proper to fix the value of this half interest. The thing had to be done somehow, and the figure arrived at was the £4,000,000 to which the hon. Member has alluded. The shares of the British South Africa Company—£1,000,000—were at that time changing hands at £4, and therefore it was considered that the par value of the other half might be put down at £4,000,000. The public got none of the shares. There was no subscription, and they have not been dealt in. The value of the shares may since have declined, no doubt. I have given the financial history of the company. The hon. Member says it demands 50 per cent. of the profits of the miners going into the country. That is not so, for alluvial gold mining small monthly licences have to be obtained, but for quartz gold, which it is well known an individual digger cannot work with advantage, the arrangement is to float a Joint Stock Company, of which the Chartered Company gets half the vendors' scrip.

(10.7) DR. CLARK (Caithness): I am not very much interested in the financial aspect of this question, but I admit we have had a very plain statement from the hon. Member for North Donegal, who probably knows more of the matter than any man living, because he himself went to Lobengula and got the concessions, and the chances when he went were three to one that he would never come back alive. I congratulate him that he is here, although I doubt if the shareholders in the Chartered Company have reason to be satisfied with what he has disclosed. Will the Under Secretary for the Colonies tell us what concessions the Chartered Company have got. They certainly have not got Lobengula's mining rights, because they are only the tenants of the persons to whom the concessions were granted. The hon. Member is quite mistaken if he thinks that Lobengula was not very well acquainted with white men. Lobengula's father had given concessions long before to the hon. Baronet the Member for Lichfield of the whole of the mineral rights in Matabeleland. My hon. Friend and his son were there for many years. Mr. Beathe managed a mine there for 10 years. Robert Moffatt was there, so were John Mackenzie and Francis Clarke, and many other white men, indeed, not a year passed without dozens of white men going to Lobengula's Court; there were permanent traders, and any number of hunters, so that the

natives were well accustomed to the presence of white men. I wish, however, to deal with the policy we are going to carry out. Look at the past history of Chartered Companies. There seems to be some fatality in our connection with South Africa. I want to know what our future policy is to be, and what part the Imperial Government will take in it, for, notwithstanding all those millions on paper, the £4,000,000 my hon. Friend has got in his company, and the £1,000,000 they have got in the Chartered Company, these companies will before long burst up, and the territory will be thrown upon our hands. The company is already nearly at the end of its tether, and the Imperial Parliament will probably before a year has elapsed be asked to come to its assistance. We certainly ought not to follow a policy of handing over the natives to company promoters and company mongers. Mr. Mackenzie, who was a Commissioner in South Africa for many years, has suggested that we should aid in the development of the country by sending officials to see that the natives are treated fairly and are not plundered. You have in South Africa a migration of whites towards the North, and a movement of the black races towards the South, and surely the wiser and better policy for a country like Great Britain, which claims a kind of Suzerainty over the whole of South Africa, would be to send officers to see that the natives are not outraged, and that some kind of law is enforced. Lobengula cannot control, nor will he have anything to do with the government of white men. If we had sent a Resident to Lobengula to see that the natives were not plundered, that would have been better for the people than handing them over to adventurers. My hon. Friend got certain mineral rights from Lobengula, but I maintain that he does not hold from Lobengula, or from any properly authorised person, a single acre of land in South Africa. I also understand from what has fallen in the Debate that Mr. H. H. Johnston, our Consul, is partly in the pay of the Lakes Company, which is a puppet of the Chartered Company of which my hon. Friend pulls the strings. He is partly our servant, and partly a servant of the company, and I understand that he is going about hunting for more concessions in return for the half of his salary which the company pay; and then Colonel Carrington, who is paid by this country, has also been acting in the interests of the companies in getting certain guarantees on their behalf. What is the actual position of affairs? A company is formed which has not a single acre of land; under false pretences it gets a Charter from the Government, for it makes believe it has valuable concessions, whereas, at the most, it has only short leases. It promises farms to those who will develop the country, although it knows it cannot possibly fulfil the promises; but it relies on the fact that when these people take possession of Lobengula's territory they will have to fight for it; it hopes that Lobengula will be smashed and then it will claim to keep his territory. Further than that, the company has been attacking Portugal. These adventurers first took Matabeleland, and as Lobengula claimed to be Suzerain of the Mashonas, and the other tribes, they claimed also that they had a right to everything this Chief claimed; so they went on and claimed territory which the Portuguese were working, and in respect to which they had granted concessions to French and British companies. Three companies formed in London were working the concessions obtained from Portugal; but these adventurers went to one of the Portuguese vassals and made a Treaty with him, and in my opinion this was one of the worst things done by the filibustering company. I was glad to hear the Under Secre ary for Foreign Affairs state that the Government have had nothing to do with Gungunhana, but that as he is a Portuguese subject, communications have been made through the Portuguese, and that we do not intend to hand over Gungunhana's territory to the filibusterers.

*Sir J. FERGUSSON: I never said that Gungunhana was a Portuguese subject.

Dr. CLARK: I understood the right hon. Gentleman to say he recognised that the territory of Gungunhana as within the Portuguese sphere of influence.

*Sir J. FERGUSSON: I said most of it was outside the British sphere of influence.

Dr. CLARK: Yes, but we have delineated our sphere of influence by the Portuguese, and if the territory is outside ours, it must be within the Portuguese sphere.

*SIR J. FERGUSSON: I do not wish to be misunderstood. I observed that the matter did not come strictly within my Department. I added that the British Government have abstained from dealing with that part of the coast long recognised as Portuguese, and that the main part of Gungunhana's territory behind it is beyond our sphere of influence. But further I added my belief that part of the territory is within our sphere of influence and in respect of that we desired to be on the best terms with him.

DR. CLARK: I take it that the part within our sphere is Umtassa's District. What I wish to urge is that it would be unfair to steal Portuguese territory. I am sorry that the British Government, considering the filibustering we have had in South Africa, and the way in which some Republics have been formed, have aided and abetted these particular filibusterers to whom I am referring in attacking this territory. Bearing in mind the responsibility which attaches to us, we ought to have somebody in the country to see that the Chartered Company is fulfilling the conditions of its Charter. I do not think the country has turned out to be so valuable as was anticipated. The gentlemen who had got £4 and £5 for their shares in this company are well out of it, but I fear that a large number of less fortunate speculators will be considerable sufferers. It is a bad policy on the whole, and I regret that the Government have gone into a joint partnership with the Chartered Company. The sooner the Charter is withdrawn and this country takes charge of the territory the better it will be for everyone. As to the value of the concessions, Lobengula has repudiated the concession made to my hon. Friend, and the Chief has said that the wording of the concession was neither explained to him nor did he mean to grant it. From beginning to end the whole affair has been based on fraud. The large number of promises which have been made can never be fulfilled except by stealing the country. It is a most disgraceful episode in our South African history. It is to be hoped that this important territory will not be left in the hands of a company with £8,000,000 of capital, but that it will be taken charge of by officers responsible to the Government, while Great Britain will have the courage to vote the money needed for its protection and control.

(10.28.) MR. LABOUCHERE: I give the hon. Member for North Donegal full credit for his great pluck in obtaining the concessions, but I think that anyone who has heard the statement as to the floating of the Chartered Company cannot help coming to the conclusion that the manner in which the undertaking has been started is, to say the least, exceedingly remarkable. I think that everyone will feel that the Government ought to watch with special care what was going on in this great territory under the auspices of gentlemen who have been the authors of this financial undertaking. I maintain, notwithstanding the statement of the Under Secretary, that this country is responsible for the government of that territory, and I do urge the right hon. Gentleman opposite to thoroughly investigate the affairs of the company. The Colonial Office should send out some completely independent persons to stand between the natives and the governing powers in this portion of South Africa; and in view of what has been stated by the official defender of the financial character of the company I submit that some official ought certainly to be there in order to see due justice administered to all concerned with this territory.

*(10.30.) MR. W. A. M'ARTHUR (Cornwall, Mid., St. Austell): I have the greatest possible respect for the hon. Member who has just spoken. I like to hear him attacking the House of Lords, and Magistrates who exceed their duty. As an exponent of domestic policy and of Radicalism I generally agree with him, but I am bound to say, if I may do so without disrespect, that the hon. Member takes a somewhat parochial view of Imperial and Colonial questions. I do not object to the presence in the House of men with parochial minds, but I object altogether to gentlemen with parochial minds taking in hand the Imperial interests of this country, for I am bound to say I do not think anybody who approaches these great Imperial interests from the point of view of a vestryman is very likely to make a distinguished success of his task. What is the grievance of the accusation of my hon. Friend the Member for Northampton (Mr. Labouchere)? He objects not

only to the South African Chartered Company, but to any company, or any measure, or any treaty, or any undertaking in the world which may extend British influence in parts of the world where it does not exist already. I do not agree with him. I do not know whether it will be said that in what I say I am influenced by my financial interests in South Africa. I have a very few shares in the British South Africa Company, and I am quite willing to sell them to my hon. Friend the Member for Northampton.

MR. LABOUCHERE: I must decline to give any coin of the realm to the British South Africa Company.

*MR. W. A. M'ARTHUR: Having made that frank confession, having stated my tiny interest in the concern, I am all the more free to say that I consider these companies one of the most legitimate means of the extension of British influence and of our Empire in countries such as Africa. I do not see why we on the Liberal side of the House should be always opposed to the extension of British influence throughout the world. There cannot be a greater mistake made in this world. If the question were fairly put before the electors, and if they were really told who made the British Empire, and how it was made, I would not be afraid, as against my hon. Friend's great experience and wit, to take my chance in any meeting of English working men in urging that the maintenance and extension of the British Empire is a good thing for them. The creation of the British Empire and its present existence are due just as much to British working men as it is to any British Monarch or any aristocratic class. It cannot be fairly said that those of us who are Radical and Democratic in this House have no interest in the British Empire, on the contrary, we are all interested in the British Empire. As regards these Chartered Companies, I do not believe there is a more legitimate way of extending the British Empire. Any extension of British influence is good, not only for England, not only for the working men of this country generally, but it is the best thing that could happen to the unfortunate natives. There is no rule, on the whole, so just, so fair, so equal, as the rule of Englishmen and the English Government over native races. These companies will grow to such an extent, and our responsibilities in connection with them will so increase, that we shall in time find ourselves in such a position that we must take the territories they administer just as we took over the territory and administration of the East India Company. It is impossible that this country should refrain from legitimate annexation in a country like South Africa. My hon. Friend and Members who think like him talk very glibly about this military expedition. The hon. Member threw scorn upon the forces sent up to maintain authority in this territory, but I think it cannot be denied that in the end the taking up of a sufficient force for the maintenance of order is the very best thing that can happen to the natives themselves. My argument is one that can be borne out, not only in theory, but in practice, namely, that in taking over these territories by the Chartered Companies, or by direct annexation, we are doing, not only a good thing for the Empire and a thing which finds employment for our workmen, but we are doing the very best thing in the world for the native races themselves. I believe my hon. Friend is wrong, not because he wants to be wrong, but because he does not fully understand these Imperial questions, and I sincerely trust I shall find the House willing to assist aims which are good, aims which consistently carried out must inevitably lead to the addition of one of the best parts of the world to our Empire, a consummation of which is to be wished for, and which I hope will come about as soon as possible.

(10.47.) CAPTAIN BETHELL (York, E.R., Holderness): Whilst there may be no fault to be found with the action of the Chartered Company, I still think the company is doing what ought to be done by our own Government; but the Government could not undertake what the company is doing because the opposition that would come from the other side of the House would be so strong that the Government would not be able to get the necessary money. The company having been formed, and having commenced its operations, there is not much fault to be found with it, and, indeed, its admistration seems to be satisfactory; but there is the prospect of trouble in the future,

The day will come when the Imperial Government will have to step in and occupy the position now held by the Chartered Company; and there will be difficulties when that has to be done. What I object to is the policy that appears to be pursued by the gentleman who is at the head of the company and also of the Cape Government. He has clearly placed before the world a policy which ought not to commend itself to this House. That gentleman's policy is that the power of the Cape Colony should be extended, if possible, up to the Zambesi. Neither the geographical position of the Cape, nor its history, justifies the ambition to govern so large a territory. There is another view of colonisation, and that is that colonies are to be limited in area, are to be given self-government, and then are to unite together in some sort of federal union. The policy of Mr. Rhodes is the converse of that—it is to extend the sway of the Cape Government up to the Zambesi. Does this policy meet with the approval of Her Majesty's Government? There is Natal, the South African Republic, and the Orange Free State, and their comparative inequality with a vastly extended Cape Colony would place great difficulties in the way of successful federation. The Government appear to have fallen under the influence of Mr. Rhodes, and to be disposed to give him a free hand. Let them be wise in time. Does not all experience show that a colony should be confined within a limited area? Does not the experience of Australia show that, although we did our best to go against the teaching of that experience last year, when we gave not only constitutional government but half a continent to a population of 40,000 persons? Would it not be well, before power is wrested from our hands, to put our veto on a policy which is really repugnant to our own views? I suspect the hon. Member for Caithness agrees with me [Dr. CLARK: Hear, hear!], and I believe the last speaker will be disposed to do so, in spite of the support he has given to the company. I hope that similar sentiments will be expressed on behalf of the Government.

*(10.59.) MR. WEBB (Waterford, W.): I have put down a Motion in order to obtain an opportunity of drawing the attention of the House to the position of the Zulu Chiefs at present confined in St. Helena. I do not take up this subject in any factious or Party spirit. I am not going to plead for making these people independent again or anything of the kind. I think when once white men come into relations with coloured races it is almost inevitable, however much we may regret it, that sooner or later the coloured men will come under the rule of the white men; but at least we should see that that rule is such as we need not be ashamed of. We first entered Zululand in 1843, but up to 1879 the Zulus were an independent nation. Then we came into conflict with Cetewayo, and he was imprisoned. Four years afterwards it was thought best that their King should be given back to the people. Mr. Osborn was the British Resident in Zululand from 1880, and I think it was a mistake that when the King was sent back Mr. Osborn should be left to carry out the new policy, to which he was opposed. After Cetewayo's death in 1884 the Dutch overran the country, and such confusion resulted that half the country was given to the Boers and we retained half under our influence. The manner in which we exercised that influence was not, I think, the best. Earl Grey, in a letter to the London *Times* on the 29th of January, 1889, said—

"The present Government adhered to the policy of refusing to assist the Zulus in making any effective arrangement for preserving peace in their country, and went even further than the preceding Government in doing them wrong by concluding a convention with the Boers, giving the sanction of this country to their taking a large part of Zululand from its rightful owners in order to form a new Dutch Republic in a territory to which the usurpers had no claim whatever, except that arising from their being in possession of much land acquired, for the most part, by fraud and violence. The injustice to the Zulus of this Treaty is manifest, and it has been rendered more injurious to them by the fact that, although the territory which was still left to them was eventually declared to be under British protection, nothing to this day has been done towards making that protection really effective, by providing means for maintaining order and security within its boundaries. The result has been what was to be expected—new disturbances have occurred, and quite lately it has been considered necessary to employ a force under British officers against those who are described as Zulu rebels. Some of these rebels have been killed, others have been taken prisoners, and are, it seems, to be punished for what they have done, though it would be hard to show that they are as much to blame as the British Government for the fighting that has taken place."

Earl Grey shows that we were neither willing to leave the Zulus to themselves nor to take them under our protection and administer the country for their benefit, and the inevitable consequence was that great difficulties ensued. It was thought well to let another tribe of the Zulus, who were opposed to Dinizulu, the son of Cetewayo, into the country. There had previously been a blood-feud between the two tribes, and hostilities now took place. The result was that certain Chiefs were charged with high treason. We have very good proof that they did not intend to fight our Government. We had a small force of Zulu police under two or three white men in a fort close beside the place where the battle between the two tribes occurred, and they were entirely unmolested. If there had been any desire to call in question the Queen's authority, the police would have been entirely wiped out by the force of 3,000 or 4,000 Zulus. Another proof that no attack was intended on our Government is that the Zulus, who had carried off some cattle, permitted a few police to recover 250 of them. It was resolved to try the Zulu Chiefs for their complicity in the warfare, and the men submitted themselves to the Government to be tried. The constitution of the Court that was to try them was, of course, a matter of the first consideration. It consisted of three men—a Civil servant, Mr. Wragg, and two Stipendiary Magistrates.

*BARON H. DE WORMS: Mr. Wragg is a Judge of the Supreme Court of Natal.

*MR. WEBB: Well, it might have been better that some person less closely connected with the administration of the country should have been appointed. I am bound to say that the authorities at home showed the greatest disposition to secure a fair trial for the Chiefs. They sent various messages to the Natal Government impressing on them the desirability of making it apparent that the trial was a fair one. In one Despatch Lord Knutsford said that the proceedings would be watched by the natives with great interest, and it was, therefore, of the highest importance to secure as far as possible that the Court should be regarded by them as impartial and independent, and as one which would win their confidence. When the counsel who was engaged for the Chiefs inquired into the case he saw it was impossible within the required time to get up the evidence sufficiently, and it is greatly to the credit of the Government that a six weeks' adjournment was granted. There was, however, a strong body of opinion in the colony that the best was not being done under the circumstances. Here are extracts from the *Times* of Natal, of 6th and 7th December, 1888, a newspaper which, I believe, is on the Government side. I have carefully abstained from using extracts from opposition papers.

"We want to know why British justice has been travestied and its final principles ignored, and why, to crown all, the meanness of revenge has been allowed to usurp the dictates of fair play." . . "It is time Zululand officialdom was put upon its trial, and we think the best order of procedure would be, first, a Commission—an impartial one—to inquire in the causes of the late outbreak and the conduct of the Zululand officials, and, afterwards, the same Commission to try the Chiefs who were forced or persuaded into rebellion."

The result of the trial was that Dinizulu and six others were sentenced to terms of imprisonment, and one Chief was condemned to death. The death sentence was remitted, and three of the Chiefs have since been released. I believe that at present two are in prison. Dinizulu and his two uncles are in confinement at St. Helena. The correspondent of the London *Daily Chronicle* wrote:—

"The sentence is regarded at Durban as thoroughly vindictive, the Court being accused throughout of having shown a strong bias against the prisoners owing to their having declined to adopt the views of the Court in regard to their own defence."

An appeal from the sentence was brought before the Judicial Committee of the Privy Council, but was rejected, not on the absolute merits of the case, but because the Committee thought they could not interfere in such a case. The following is an extract from the decision of the Lord Chancellor:—

"Their Lordships do not think it necessary to go into the question whether or not there has been any violation of the rules with reference to the forms of procedure; still less do they wish to hold out any notion that a violation of the forms of procedure constituted in the way we have been informed would be a ground for appealing to this Committee. It may well be that there are some things which it is right, for the regular conduct of criminal procedure should be observed. . . It would be, therefore, inadvisable, their Lordships think, to examine the grounds, even if there were any more foundation for them than appears."

The men are now confined in St. Helena, and I understand that no native of Zululand not furnished with a special permit is allowed to land on the island. Would it not be better they should now be liberated than that at the expiration of their sentence in a few years they should return to their country carrying with them a sense of wrong? We all know how Miss Colenso with full knowledge of the case has taken up this subject, and how she has come over here and spent her time in trying to influence public opinion with regard to it. We know what this lady's father was; how he was beloved in the country, and what he did for the natives. She was brought up among them and understands their language. I do think it is a serious matter that we should do anything that is so much called in question by a person of her experience and self-devotion. She is not the only person who has felt strongly on the subject. Mr. Escombe, a leading man in the Colony of Natal, has spent £1,000 out of his own pocket in connection with the question. He was in England when the trial began, and he hastened back to South Africa to assist the prisoners. Then there is Mr. Fairbridge, a Cape barrister, who, writing on 20th December, 1889, says—

"It confirms the opinion I had previously entertained that the trial of Dinizulu was a scandalous farce—a device to give colour to a conclusion foreseen and fore-ordained. 'Oh! justice, what crimes are committed in thy name?'"

All that is desired now is that the case of these prisoners should be seriously considered by the Colonial Office with a view to their being liberated and sent back to their own country. They have surely suffered enough, and I believe nothing would tend more to the honour of this country or would increase our influence in South Africa than to have the matter fully and fairly considered. We must remember that there are 140,000 Zulus to 600 whites in Zululand, and that the Zulus are an increasing, not a dying out, people. I will conclude by reading the closing lines of the voluminous pamphlet on the subject drawn up by Mr. Escombe and Mr. Dumal, both of whom are lawyers. They say—

"If Her Majesty's Government will see justice done, they may remove every soldier from Zululand. There is not in the whole of Her Majesty's possessions a race more loyal and more wronged than the Zulus."

I beg to move the reduction of the Vote by £100.

Motion made, and Question proposed, "That Item A, of £37,682, Salaries, be reduced by £100, part of the Salary of the Secretary of State."—(*Mr. Webb.*)

*(11.24.) BARON H. DE WORMS: This question is by no means a new one. The hon. Member has expressed the views entertained by Miss Colenso, who, I am sure, is thoroughly sincere, but who for many years has played a part in Zululand which has not been conducive to the welfare of the natives or the peace of the country. [*Opposition cries of* "Oh!"] If hon. Members will refer to the Despatches sent to this country from Africa they will find that I am not speaking without warrant. During the Administration of the right hon. Gentleman the Member for Mid Lothian, on the 7th December, 1882, Sir H. Bulwer wrote to Lord Kimberley—

". . . It is impossible to resist the conclusion that it was upon the strength of what was said by her (*i.e.* H. Miss Colenso) to Ndabuko at Bishopstowe that the latter decided to take up arms on his return to Zululand."

If I had time I could quote other Despatches in confirmation of the views of Sir Henry Bulwer. We have not now to discuss the action of Zibepu, which followed on many hostile acts of Dinuzulu against him. The line taken in defending the Zulu Chiefs is that Dinuzulu, Ndabuko, Tshingana, and others collected their forces and raided from fear of Zibepu, and not from hostility to Her Majesty's Government. The answer is threefold:—First, that they committed acts which showed resistance to the British Government in 1887, before there was any thought of repatriating Zibepu—or, therefore, any fear of him. Secondly, Zibepu did not take any hostile steps against them, or do anything which should have caused them uneasiness before June 1, 1888, when he was called up to the Ndwandwe Magistracy to strengthen the forces there; but between April and June, Dinizulu and Ndabuko collected forces, resisted the police, refused to give up men against whom warrants had been issued, and made raids on Chiefs solely because they were loyal to the Government. In the third

place, after Zibepu had been utterly routed at the Unduna Hill, and after all fear must have been at an end, they kept their forces collected at Ceza, committed acts of violence, and kept the country in a state of unrest. The case of the defenders of Dinizulu and others appears based on two contradictory arguments: first, that their acts of violence are not directed against the Government, but against Zibepu; and, secondly, that their acts were directed against the Government, but that they ought to be condoned on the ground that the acts of the previous Government and of officials under the present Government drove them to commit the offences with which they are charged. These prisoners have in fact, defied the authority of the law, and, like others who do so, must expect to be punished. Not only have they rebelled against the authority of the Crown, but they have committed acts of great violence. They have been described as martyrs to British injustice and tyranny, when the fact is that they are rebels in the true sense of the word, and that some of them are actual murderers. In my hand I hold a list of the murders ascribed to them. On the 3rd June they murdered a Boer named Dirk Louw, near Ceza; on the 4th June, three men, a woman, and a child were killed by Dinizulus; on the 5th June two of Zibepu's men were murdered; on the 6th June Klaas Louw and a native boy were murdered; on the 8th of June one of Zibepu's men was killed; on the 18th June a native was murdered near Shalo, and three natives at Mabedhlana; on the 28th June were murdered Ashby (white trader), two native women, and two children; and on the 3rd July was murdered C. V. Tonge, trader. There is undoubted evidence before the Commission that these men were directly implicated in these murders.

CAPTAIN BETHELL: There was no evidence that the men were answerable for all these deaths which technically were murders.

*BARON H. DE WORMS: There were many cases beyond those with which they were actually charged. Evidence was not given in all cases; some charges were withdrawn; but there was evidence before the Commission that in many cases these men were more or less directly implicated. I am astonished to hear the statement that the tribunal which tried the cases was an improper tribunal. It was properly constituted, presided over by a Judge of the Supreme Court of Natal, and took evidence according to the rules of legal procedure. The sentences passed were extremely lenient considering the nature of the offences brought home to the prisoners, and even then the Secretary of State, anxious to err on the side of mercy, further reduced the sentences on the three Chiefs—Dinizulu and his relatives—and they were deported to St. Helena. It is said that the fact of these men being exiled from Zululand is the cause of the country being kept in a state of agitation and disquiet, but that is not so. From the moment they left Zululand, peace was restored, and the country has never been so quiet and prosperous as since these three men were removed. I think, then, we are justified in concluding that these were the disturbing elements. The hon. Member has spoken of these men suffering great hardships in St. Helena; but the fact is, they were never more comfortable in their lives. They have the ordinary comforts of civilisation, they have none of the hardships of barbarism, they are allowed to see their friends in the Island, and, as a matter of fact, these Zulu prisoners live in St. Helena under peculiar conditions of comfort. I really cannot see any case of hardship has been established. I can assure hon. Members that the case of these prisoners has been most carefully considered by Her Majesty's Government; their punishment is most lenient. What may be the action of Her Majesty's Government towards them after a lapse of time, and if they continue the good conduct which happily characterises them now, I cannot say; but at the present moment I cannot hold out any hope that their case will be re-considered by the Secretary of State.

(11.35.) DR. CLARK: I very much regret to hear the right hon. Gentleman say that the case of these Chiefs cannot be re-considered. I cannot agree with the right hon. Gentleman in his estimate of the result of Miss Colenso's action. Admitting that Dinizulu rose in rebellion, something can be said in justification of this rebellion. The Zulu nation were dissatisfied in 1887, before Usibepu

went back, so dissatisfied that they came to the determination to oppose the great White Queen, and the Chiefs determined to do their level best to drive the British out of Zululand. Admitting that, and taking the case at its worst, yet something can be said in favour of re-considering the position. Rebellion, of course, is a very serious crime, but then, in 1887, Dinizulu was King of Zululand, recognised as absolute King of the country by us and everybody else. Without his knowledge and consent we annexed Zululand, and in 1887-88 Dinizulu, to maintain his position, rose in rebellion. He was absolute King one day, he became a rebel the next day. Well, rebellion is justifiable sometimes, and gets the name of patriotism. In 1887, at the time the partition of Zululand was going on, I happened to be in Zululand, and I saw Dinizulu, and I know that at that time Tshingana and Undabuko, the two brethren of Cetewayo, were anxious to get the aid of the Boers to drive out the British, or the aid of the British to drive out the Boers. They found themselves encompassed — the New Republic on the one side, the British on the other. A third of Zululand was in the hands of Mr. Melnotte Osborn, and called the Zulu Reserve, where the loyal Zulus were, and to the north and east were the Boers of the New Republic. Tshingana and Undabuko, the King's uncles, were anxious to get the British to drive out the Boers, and then they were willing that the British should remain, or to get the aid of the Boers to drive out the British from the Reserve, the Boers of the New Republic retaining the land they held as the price of their services. Of course, neither the British or the Boers would enter into any arrangement of the kind. They proceeded to divide the territory, and the interests of the Zulu King were ignored. I protested in this House in 1887 and took a Division—Sir Henry Holland being then Secretary of State—against the partition of Zululand and the handing over of a large territory to the New Republic. But the partition was carried out, and hundreds of miles where white men had never set foot—the ancient tribal lands of the Zulus—passed to the Boers. In 1884, when the Boers came in, they drove out Usibepu who, up to that time, had been Zulu King after Cetewayo had been put out. The pressure and agitation was such that the British Government sent back Cetewayo, but Usibepu was too strong for him. Cetewayo was defeated and driven into the bush, where he died. The Boers then came to terms with the young King Dinizulu and his uncles, Tshingana and Undabuko, and, with the aid of the Boers, Usibepu was routed and driven into the Reserve. Dinizulu remained King, but he found his new allies were eating up the whole of his Kingdom; their farms were covering the whole of Zululand. For years negotiations went on between the authorities of the New Republic and Mr. Ecott. He came to London and saw Mr. Stanhope and Lord Derby, but no terms were settled until 1887, when Sir Henry Holland came to terms with the Boers as to division of spoil, and the interests of the Zulus were sacrificed. Dinizulu protested, and when I saw him he, not without cause, was very discontented. We offered pensions to Dinizulu and his two uncles, £300 a year, but the King protested against the ancient tribal grounds of his race, the graves of his grandfathers, the burial place of the great Chief who was the Napoleon of the Zulu nation, being handed over to the alien Boers. But the annexation was carried out. I should not have objected to that course, which probably would have been the wiser course under the circumstances; but what can now be said in favour of these unfortunate men is that because they were dissatisfied Sir Arthur Havelock, knowing the evil that would result—and in Despatches he has admitted it, as the Usutos were dissatisfied—determined to overawe them, and to coerce them, sent Usibepu back with 1,000 men for the purpose. A portion of Undabuko's land, including his chief kraal, was given to Usibepu. Undabuko cleared out; but when he came to take away his corn from his pits, he found they had been rifled. Usibepu was ordered to pay a fine of cattle, but he refused, and the result was there was fighting between Usibepu and his followers and the Usuto section of the Zulus. The British took the side of Usibepu, the Usutos were driven across the border, and Dinizulu, Tshingana, and Undabuko might now be in a position of hostile independence; but yielding to the advice of Miss

Colenso they came to Natal and demanded their trial. Before a jury of white men and the Court at Natal the facts might have been brought out, but they were tried by a Special Commission on a charge of murder. Well, there had been a tribal war, and many lives were lost of course, and, technically, you may call that murder. They were charged with murder, that being the only crime under which they could be removed. But Dinizulu has never been tried for murder. He has been taken away on a false charge. It was a mere farce, a mockery of a trial, and Dinizulu's witnesses were not allowed to give evidence. Everybody knows this was so. [Baron H. de WORMS expressed dissent.] Well, everybody but the right hon. Gentleman——

*BARON H. DE WORMS: There is not a shadow of foundation for these allegations.

DR. CLARK: I have seen the sworn depositions of men who were prevented from giving evidence. On a false charge these men have been removed. They demanded a fair trial, and why did you not allow them this trial before the High Court of Natal and a jury of white men, who, if prejudiced at all, would certainly not be prejudiced in favour of the Zulus? But after the pretence of a trial they were condemned and sent to St. Helena. I think very harsh treatment has been used towards the Zulu reigning family. The course pursued towards Cetewayo was a mistake and a crime. When replaced in 1884 the Government should not have replaced him in the midst of his enemies to be driven out at once and practically murdered. The man who carried out the arrangement, Sir Henry Bulwer, was totally opposed to the Royal Zulu Family, and he employed Sir Theophilus Shepstone. Sir Henry Bulwer wrote Despatch after Despatch protesting against the policy pursued, but he should have resigned his office, and should not have pretended to carry out a policy his judgment condemned; he never should have been entrusted with the duty of carrying it out. Cetewayo was replaced under conditions in which it was impossible for him to maintain his position. Usibepu had a large army; Cetewayo had but few followers. When Dinizulu was recognised by the Boers we ought to have come to terms, but we allowed anarchy to reign, and when we divided the territory with the Boers the sending back of Usibepu was an incitement to civil war. Like Kilkenny cats, the Zulu people were allowed to fight to clear the land for white men to settle upon it. We are told there has been peace since the King and the Usuto Chiefs have been removed, and we have annexed Zululand. I think the wisest course would be to let bygones be bygones, proclaim a general amnesty, annex Zululand to Natal, and let it be administered under a responsible Natal Government. Send back these Chiefs, give them pensions, and settle them on their own tribal lands, make them British subjects. Let the matter be arranged, not by men like Mr. Addison, but by responsible neutral persons who have not taken sides in the disputes, and I think you will find that Zululand will comfortably settle down. I think we have been wrong from the beginning in our treatment of Cetewayo and his family, and if we continue our present policy we shall perpetuate the wrong. Lord Knutsford knows the question very well. I hope he will re-consider the whole question, re-settle the Usuto Chiefs on their tribal lands, annex Zululand to Natal, and give Natal a chance of developing a stable and responsible Government.

(11.55.) MR. T. ELLIS (Merionethshire): I am quite certain that if hon. Members generally devoted a little more attention to this Zulu question and the claims of these Zulu Chiefs, there would not be two opinions as to where our duty lies towards the Zulu people. But the conditions of our Parliamentary life are such that it is impossible for any large number of Members to pay close attention to the circumstances, the difficulties, and troubles connected with our distant possessions and dependencies. Concerning itself as the House does with the affairs of every parish in the Kingdom, as well as the government of a great Empire, I suppose it is impossible to induce any large number of Members to pay close attention to a question such as this. I feel certain that if an appreciable number of Members would give a small amount of time to inquire into the circumstances attending our conquest of Zululand and our treatment of it in 1886–7 until it was divided between the Boers and the English, and the circumstances attending the trial by Spe-

cial Commission and the banishment of these Zulu Chiefs—I say if any appreciable number of Members on either side would look into these matters I am certain there would be such a pressure of opinion that the Government would be induced to re-consider their decision in this matter. The late Mr. Bradlaugh was one of the few who turned attention to the subject, and often in conversation did he express his extreme regret that in two Sessions he lost the opportunity of bringing it before the House; and again and again I have heard him say that, after taking a good deal of trouble in going into the case, he found there was a clear and complete case on the side of these Zulu Chiefs. His opinion was strong and decided that the only fair policy towards these three Chiefs—the only wise and just policy towards the Zulu people, and in the interest of that part of South Africa—was to liberate the prisoners, make them subjects of the Queen, and remove the soreness that must exist until the young King and his uncles are restored to their people. The Under Secretary has tried to put Miss Colenso out of court by dragging out of a Despatch from Sir Henry Bulwer in 1882 one sentence, showing that probably Miss Colenso had used some influence, arousing the Zulus to protest against certain forms of injustice which had been used against them. It seems to me that a mere isolated sentence in a Despatch, from one having such strong aggressive views as Sir Henry Bulwer, counts as nothing against that devotion and self-sacrifice with which Miss Colenso has taken up the Zulu cause, sacrificing time, money, and convenience in the effort to influence the Colonial Office and Parliament. I really think the right hon. Gentleman ought to find some worthier argument in reply to what has been said on either side than a mere isolated extract from a Despatch from one who adopted such an aggressive policy towards the Zulus as did Sir Henry Bulwer during the time he was at Natal. Altogether I think that our treatment of the Zulu people has been worse than our treatment of any native race—certainly in South Africa. I have always considered the conquest of Zululand a mistake and a crime. We made a lion of Cetewayo here in England; we made a fool of him again in Zululand, sending him back into the midst of his enemies. One of the worst forms of treatment England employs in the subjection of native races is the encouragement given to the enemies of the King or Chief. From the beginning Usibepu was a traitor to the Zulu King, and we did everything to support and strengthen him against Cetewayo, and afterwards against Dinizulu.

It being midnight, the Chairman left the Chair to make his report to the House.

Resolution to be reported upon Monday next.

Committee also report Progress; to sit again upon Monday next.

TRAINING COLLEGES (IRELAND) [LOANS.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any annuity that may be created for the payment of any Loan made by the Irish Land Commission under any Act of the present Session, to provide for the Re-imbursement to Training Colleges in Ireland of certain past expenditure on their Sites, Buildings, Appurtenances, Premises, and Fixtures.—(*Mr Jackson.*)

Resolution to be reported upon Monday next.

SUPPLY—REPORT.

Resolutions [9th July] reported.

Resolution 1 [See page 711], agreed to.

Resolution 2.

"That a sum, not exceeding £61,394, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses in the Department of Her Majesty's Treasury and Subordinate Departments."

MR. SEXTON (Belfast, W.): I wish to call attention to the question relating to the erection of the Central Police Barracks in Belfast, the money for which has appeared in the Estimates from year to year. I have asked questions from time to time, and the Secretary to the Treasury has stated that there would be no delay. The police of Belfast are at present housed under most insanitary conditions, and the men suffer

in comfort and in health. The outbreak of an epidemic disease in Belfast is attributed to the insanitary condition of the police station. On the 2nd of March last the Secretary to the Treasury said that all the difficulties had been got rid of, that the site had been acquired, and that the building would be immediately commenced. This matter is a very serious one. The Corporation are the landlords of the site. Long since the Board of Works acquired part of the site, and the present tenants undertook that if the site was taken from them before March, 1893, the former tenants shall pay a fine of £3,000. The impression has got abroad that there is an intrigue between the Board of Works and the Corporation to procrastinate for two years in order that the fine of £3,000 may be escaped. It was mentioned to-night in answer to my question, that there was some doubt about the foundations, but there were buildings there before, and why cannot there be buildings there again? I trust that the matter will be attended to, though I know the difficulty of obtaining anything like diligence in connection with Irish affairs.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The hon. Member has addressed a question on this subject to the Chief Secretary, and I think it is hardly in accordance with Parliamentary usage that a question which has been put to one of my Colleagues should now be referred to me without any notice being given. The architect of the Commissioners of Public Works in Ireland and the Inspector of Constabulary have come to the conclusion, I am informed, that the first thing to do in the interests of the Service is to proceed with the erection of the barracks for the men, there being no emergency with regard to stables. The poor man has died since, therefore I cannot refer to him. I think the hon. Member himself has given reasons why it is desirable to proceed with the barracks before May, and inquiry shows that is the arrangement which has been made.

MR. A. O'CONNOR (Donegal, E.): Year after year we find these sums not appropriated in a regular way, but spent by the Board of Works or the Post Office, or some other Department as they deem fit. The fact remains that the amount voted for the Board of Works is not expended in the manner the Treasury have represented it would be expended, and this is not an isolated instance. It is one of the cases that are always to be met with. Even the Secretary to the Treasury himself has told us that the Board of Works do not know how these things are done, and I think the matter one which is very properly brought under the attention of this House. I therefore ask the Secretary to the Treasury to give us some sort of assurance that the promises which have so often been made shall be kept.

Resolution agreed to.

Resolution 3 (see page 736) agreed to.

FISHERIES BILL [LORDS].—(No. 406.)

Considered in Committee.

(In the Committee.)

Clause 1.

The Committee report Progress; to sit again upon Monday next.

PLACES OF WORSHIP ENFRANCHISEMENT BILL.—(No. 8.)

Order for Committee read and discharged.

Bill withdrawn.

COUNTY COURTS (PLAINTS).

Address for—

"Returns, from every County Court in England and Wales, of the total number of Plaints, &c., entered in each Court, from the 1st day of January to the 31st day of December, 1890, both days inclusive; distinguishing those not exceeding £20; those above £20 and not exceeding £50; and those by Agreement over £50."

"And, of the Sittings of the County Courts in England and Wales holden before the Judges of such Courts in the year 1890 (in continuation of Parliamentary Paper, No. 336, of Session 1890)."—(*Mr. Stuart Wortley*).

House adjourned at twenty-five minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 13th July, 1891.

SAT FIRST.

The Earl of Albemarle, after the death of his father.

PRIVATE BUSINESS.

HARROW ROAD AND PADDINGTON TRAMWAYS BILL.

Bill read 3ª, with the Amendments.

*LORD MONKSWELL: My Lords, I have given notice of an Amendment for the re-insertion of a clause which was in the Bill as it left the Commons, but has since been struck out by the Chairman of Committees. It is to add a new clause after Clause 38, providing that persons employed by the company upon the tramways shall not be required to work for more than 10 hours per day. This was a clause which was inserted by agreement between the County Council of London and the Tramway Company. It was inserted after very much discussion in the London County Council, and after very full consideration. The discussion was renewed two or three times over. So much stress did the London County Council lay upon this provision that they required an undertaking from the company to withdraw the Bill if by any chance the clause should be struck out in Parliament. The clause was not struck out in the House of Commons, and if the Chairman of Committees in the House of Commons had taken the same view as the noble Earl the Chairman of Committees here, there would have been no chance of the Bill passing into law. Before the noble Earl took the Bill into Committee he asked the London County Council whether they laid much stress upon this clause or not. The answer was strongly in the affirmative. Indeed, as I have said on more than one occasion, the London County Council had discussed the matter and had determined to abide by this clause after full discussion. Unfortunately, before an answer could be obtained from the London County Council the Bill had passed through Committee, and the clause had been expunged. I do not in any way complain of the action of the Chairman of Committees personally in this matter. As I understand the objection taken by the noble Earl to this clause was not an objection on its merits, but he objected to it simply on the ground that it ought not to have been inserted in a Private Bill at all. I can perfectly understand that if the Chairman of Committees feels any doubt as to whether any clause ought not to be inserted in a Private Bill, it would be quite right of the noble Earl to take the opinion of the House on the matter, and to have the clause struck out in the first place. But I would say this, though it might be right for the noble Earl to do that when it comes before your Lordships' House, the House might take a different view, and think that the clause is one to be retained in this Bill under the circumstances, even though it is a Private Bill. The responsibility then, of course, rests upon the House, and is shifted off the shoulders of the Chairman of Committees. The question raised here is a very important one, and I think it ought to be decided and discussed by your Lordships' House. The Bill in its present form releases the company from an engagement which they have entered into with the London County Council as to the hours of labour of the persons employed by them, and the question, as I understand, that your Lordships have to determine is this—How far it is desirable that Parliament should exercise the undoubted right it possesses to see that the agreement between two parties who are capable of contracting an agreement, which does not militate against the general law of the country, should be interfered with by Parliament? As to that it does seem to me that such a power ought only to be exercised when an agreement entered into of the description I have mentioned is highly and exceedingly objectionable. I think it would be a very strong measure for your Lordships' House on that ground to object to the clause which was retained in this Bill in the House of Commons, because, as I say, this is an agreement entered into with the London County Council by the company proposing to construct these tramways. It was discussed over and over again in the County Council, and there is no question

which is more interesting to the public or to the London County Council than this question of limiting the hours of labour. For this House to say that this is such an outrageous proposal as that your Lordships cannot sanction it would be to set your Lordships' House in absolute antagonism to the elected representatives of London if that is the ground on which your Lordships proceed. But I understand the noble Lord the Chairman of Committees takes up a somewhat different ground. I understand he says that in no Private Bill such as this for the construction of a tramway ought any special terms with regard to the working of the tramway to be laid down; that no Private Bill ought to go beyond the general terms of working within the powers conferred by the general law. That I understand to be the attitude assumed by the noble Earl the Chairman of Committees. Well, if that is the attitude of the noble Earl, it is perfectly clear that the Legislature has not endorsed his opinion. Now, I would refer your Lordships upon this point to the Dundee Tramways Act of 1872. That was an Act authorising the construction of a tramway in Dundee, and Clause 55 of this Dundee Tramway Act does interfere with the general powers given to work tramways under the general Acts of Parliament, and interferes in Section 55 in a very special manner indeed. Therefore, my Lords, it does appear to me on the authority of that Bill, and I believe there are other Bills in the same sense, that if the noble Earl is going to lay down a general rule that he will not allow in a private Act any special conditions of running or working to be inserted in the case of Tramway Companies, he will find himself at variance with what has hitherto been considered to be the settled law of the land, and I hope whatever view he may take with regard to the particular clause which I suggest should be inserted to-day, that the noble Earl will give the House the advantage of his opinion with regard to matters which may, or may not, be put into a Private Bill, and that he will tell us whether or not he adheres to the opinion, which I believe he holds, to the effect that in no Private Bill ought there to be any special conditions whatever limiting the company in the mode in which it should conduct its traffic. Now, with regard to the special clause here, I may mention that it is not really of a peculiarly startling or appalling character. It does not say that no man shall be allowed to work more than 10 hours a day. All the clause says is that a man shall not be compelled to work more than 10 hours a day if he does not wish to do so, which is a totally different thing. I can easily understand that it may be exceedingly important that Local Authorities should be empowered to make special running arrangements when tramways are proposed to be established in their midst. Tramways are, during construction, a great public nuisance, and it may be from the local conditions and from the circumstances of the case that the Tramway Company will make an enormous profit; and, if that is so, I do not see why the Local Authority should be prevented from putting special clauses into the private Act of Parliament obtained by the company, which should have the effect of reducing those profits within moderate limits, and of insisting that the company should take the tramways over or should construct the tramway on such conditions as should not be onerous to the inhabitants. I beg leave to move the Amendment of which I have given notice.

Amendment moved, in page 17, after Clause 38, to insert as new Clause—

"Every person employed by the company upon or in connection with any of the tramways by this Act authorised shall be employed on the terms of not being required to work for a longer period than ten hours per diem."—(*The Lord Monkswell.*)

*THE EARL OF MORLEY: My Lords, I am not sorry that the noble Lord has brought before your Lordships the clause which he has moved as an Amendment to the Bill which is now to be read a third time. I wish, in the first place, distinctly to take upon myself, as the noble Lord has very rightly put it, the whole responsibility for the omission of this clause, which was in the Bill when it came up from the other House, and to exculpate entirely the promoters of the Bill from being parties to the omission of this clause, which, as the noble Lord has said, was an agreed clause between the company and th London County Council. But I woul like, in the first place, to entire d

and absolutely refuse to discuss the question of limitation of the hours of labour on its merits. I conceive that on that point I have nothing in the world to say. I do not express any opinion whether it is desirable or not to do so. My points are: in the first place, whether such a clause should be introduced into a Private Bill, practically without the knowledge of Parliament; and, in the second place, whether the Standing Orders of your Lordships' House and of the other House of Parliament, in regard to obtaining the consent of the Local Authority to making a tramway, should be used as a means of exacting from the Tramway Company such conditions as the noble Lord wishes to introduce into this Bill. Now, in the first place, I would meet one or two of the minor points to which the noble Lord has referred. He first finds fault with me, I do not say in any acrimonious way, but he disputes my action in interfering with an agreement that has been made between a Local Authority and a public company. The House must be perfectly aware that all such agreements embodied in an Act of Parliament are made distinctly subject to your Lordships' Standing Orders. There is a provision that they are subject to any alteration that Parliament may make in them, and it not infrequently happens that it is necessary for me to modify agreements, which appear either to be against the general course of Parliament or the practice under your Lordships' Standing Orders. The noble Lord then went on to ask a question as to my reading of the Standing Orders, requiring the consent of the Local Authority before any tramway is allowed on a public road. That Standing Order was, I think, passed in 1875; I am not quite certain as to the date, but I am happy to say that I need not give my own interpretation of the object of that Standing Order, because I have the decision of a very important Standing Order Committee which decided it in a way which entirely coincides with my own opinion of it. I imagine that the object of that Standing Order is to enable the Local Authorities who have the care of the public roads to state whether in their opinion a tramway would be convenient or inconvenient to a district, whether the roads are wide enough for it, or whether they are so narrow that a tramway would be an inconvenience and a nuisance to the district. Acting on that principle, the Local Authorities of some districts exclude altogether tramways from the districts over which they have jurisdiction. In other cases, and I think not unreasonably, they may say that the roads are too narrow, but that if the Tramway Company will help to widen the roads, either by contributing towards the expense of them or in other ways, they will then give their consent for the Tramway Bill to be passed. Those seem to me to be perfectly reasonable conditions; but when it comes to imposing other conditions not affecting the physical convenience of the district, or possibly the construction of the tramway, the thing is quite on a different ground. In confirmation of my view of the matter I may state that attempts have more than once been made by the Local Authorities to exact from Tramway Companies mileage rates. In two cases, I think it was in the very Bill from which the noble Lord quoted just now—the Dundee Tramways Bill of 1872, and I believe another Scotch Bill of the same year—such mileage rates were granted; but as soon as it was discovered they were invariably refused in all subsequent Bills. The same thing occurred in the case of Leeds, and in the following year in the case of Bradford; and ever since, with no exception, no mileage rates have been allowed as a condition of passing a Tramway Act. Only six years ago, in the case of the Edinburgh Bill, which came up from the House of Commons with such a clause in it, the clause was rejected in this House as being contrary to the practice of this House and to public interest. I mention that to show what are the kind of conditions which have been allowed, and which have not been allowed hitherto by your Lordships' House. There was a further case in 1883 of the Kingston, Monkstown, and Blackrock Tramways Bill. As far as I remember the case, there were two competing schemes, in one of which the Local Authority had imposed certain conditions upon the company as a preliminary condition for the Bill to be introduced into your Lordships' House. A very strong Standing Order Committee sat

upon that Bill, and so strongly did they feel the force of what I have just urged upon the House that they positively dispensed with the Standing Order requiring the consent of the Local Authority. I think that is pretty strong evidence that, at any rate in the course I took, I have not been acting contrary to the precedents that have been established for the guidance of the House. So much for the interpretation of this Standing Order; it seems to me the Standing Order never for a moment contemplated the imposition of such a condition as the noble Lord would impose upon this company. I said just now it was as far as possible from my intention to express an opinion upon the policy of the clause, the insertion of which is moved by the noble Lord; but I do venture to express the strongest opinion upon this point: that if such a clause is introduced into an Act of Parliament at all it should be introduced by public legislation, and then the Local Authorities would be distinctly informed that they have the power of imposing such conditions after full discussion of the matter both in this and in the other House. But for Parliament to sanction a clause, for Parliament to give its approval to a clause which, though it may be only the result of an agreement between a company and a Local Authority in a Private Act, which has been passed without anybody knowing anything about it, seems to me to be entirely foreign to the practice of private legislation, and I earnestly trust the House will support me in the view I have taken. I feel confident the introduction of such a principle without the approval of Parliament by public legislation would be a most dangerous innovation on the practice of Parliament, and of your Lordships' House. There is one matter which I forgot to mention. The noble Lord referred to a clause in the Dundee Act making provision with regard to labourers' trains. That is a clause which is introduced, as far as I know, into all Tramway Acts brought into this House; and, therefore, there is no peculiarity in that. In any case, that precedent of nearly 20 years ago would, I think, hardly be sufficient to upset precedents which have been established since, and I venture to hope, for the reasons I have pointed out, that your Lordships will not sanction this Amendment, and will not allow the insertion of this clause.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I hope your Lordships will agree with the noble Earl the Chairman of Committees in the course he has taken. This is not the time or place in which we should any of us feel called upon to discuss the propriety of limiting the hours of labour in the way it is done here. Whether it be right or wrong, that is a question which should be dealt with by public legislation if it is dealt with by legislation at all. After what has been said by our Chairman of Committees it seems to me perfectly clear that there is a great danger in allowing matters of this kind such as limiting the hours of adult labour in a merely Private Bill. The introduction of clauses of that kind *per incuriam*, and really without anybody noticing them, is a matter of very great danger indeed; and, therefore, I hope your Lordships will thoroughly support the noble Earl the Chairman of Committees in the course he has taken.

EARL WEMYSS: My Lords, I rejoice to hear the noble Viscount, who has just sat down, point to a very great danger in our Private Bill legislation, namely, that in a Private Bill such as this principles are sought to be introduced which are not observed at the time in passing that Private Bill, but which afterwards are used as stalking horses for the introduction of those principles into public legislation. I confess I knew nothing of this Bill or of its genesis until I came down to the House this evening. When I received my Parliamentary Papers this morning I saw there was a clause to be introduced which purports directly to clog adult male labour; and it seemed to me to be a clause which your Lordships ought to strongly and carefully guard against. I know nothing, I repeat, of its genesis, but we have heard from the noble Lord that it is begotten by the London County Council, and I am inclined to think that will not give it any greater recommendation, or make it more acceptable to your Lordships; and the more so when it has been shown clearly to be the object of the London County Council to limit adult labour

whenever they can, and in every possible way.

LORD THRING: My Lords, I wish to say a few words upon this question. I should be the last man in this House to attempt to narrow the powers of the Chairman of Committees. I have known myself many instances in which fraudulent clauses have been introduced into Private Bills, and have been only discovered by the diligence of the Chairman of Committees. He is, in fact, the only guardian against the fraudulent legislation which is constantly being attempted. But with regard to this clause, I cannot understand why it is supposed to fall within the category of clauses which ought to be excluded from Private Bills. Why should not a Municipality say to a company that is going to make a tramway along its streets, "We do not wish you to travel on Sundays" if they like? I may say I am not myself in favour of it; but why should not they say that if they choose, if Sunday travelling is against the feeling of the town? Then, again, with regard to the imposition of low fares, why should not they say if they like, "You must run labourers' trams at certain fares?" Why is a Municipality to be deprived of the power of making that bargain? This is not a clause for the purpose of limiting adult labour. It is simply a clause saying that a particular company shall not compel the persons it employs to work beyond a certain number of hours. I give no precise opinion upon the advisability of the clause, but at any rate it is not open to the usual accusation against such clauses, that they are introduced by private individuals only. This is a clause which has been introduced by the Municipality, and consented to by the promoters of the Bill, and I cannot understand why such a clause should be excluded from discussion in this House. I trust, therefore, that your Lordships will discuss it.

*LORD CLIFFORD OF CHUDLEIGH: My Lords, there is only one point upon this clause which I should like to press upon the House, and that is whether it is in any way a prohibition or restriction upon the hours of labour. It seems to me it is not, and that it is simply an agreement between the County Council and the Tramway Company that one of the conditions of employment offered by the Company shall be that of working only 10 hours a day. There is nothing in the clause to prevent any workman coming to the Tramway Company and making an offer to the Company to work any number of hours he likes. I quite agree with every word which has fallen from the noble Earl the Chairman of Committees, if this clause went in any way to restrict the hours during which any working man might work; but it seems to me to be simply an agreement between the two parties, and between themselves only, that a certain state of things shall exist; and I contend that this is entirely and in every way an agreement of a private nature, and in no way touches upon the public question of any restriction upon the hours of labour.

*LORD MONKSWELL: I will not trouble the House to divide.

Amendment (by leave of the House) withdrawn.

Bill passed, and returned to the Commons.

SANDHURST AND WOOLWICH.

QUESTION—OBSERVATIONS.

*THE EARL OF STRAFFORD, in rising to ask the Under Secretary of State for War whether it will be possible during the present financial year to carry out the recommendations of the Board of Visitors in 1890, at the Royal Military College, Sandhurst, and at the Royal Military Academy, Woolwich, said: My Lords, having been for six years a member of the Board of Visitors at Woolwich and Sandhurst, I have taken great interest in all I have seen there, and I venture for a moment to call the attention of the Under Secretary of State for War to the Report of the Board of Visitors of last year, and to ask him whether he can hold out any hope that during the present financial year it will be possible to carry out the recommendations of the Board. I may remind your Lordships that the Army Estimates for the present year amount to £17,540,000, and I hope the noble Earl who will be good enough to answer my question may be able to say that some small portion of that large sum can be judiciously employed in carrying out the

recommendations of the Board of Visitors both at Woolwich and Sandhurst. With regard to Sandhurst, the Report of the Visitors in nearly all essential particulars was very satisfactory. They spoke in the highest terms of the discipline, of the College, of the health and physique of the cadets, of the commissariat arrangements, which are very good, and the arrangements in reference to the hospital. There are, however, one or two points which they hope may be favourably considered by those in authority. The first is that in the College there is no hot water laid on in any part of the building, that the gas is of a bad quality, and the chapel is so cold that in winter it is scarcely endurable; and there are none of the present improved sanitary arrangements. They also hope that the number of instructors may be extended from 20 to 25, and that a working party may in future consist of 12 Royal Engineers and 30 Linesmen. They also notice that the terms for the course of instruction should be extended to three instead of two, and that the time for the gentlemen cadets to remain at the College should be 18 months instead of 12. They consider that would be to their advantage. Then with regard to Woolwich, the Report is not so favourable, but there is nothing to complain of with regard to the health, discipline, and physique of the cadets, or in respect of the commissariat arrangements there; but they speak very strongly indeed of the want of accommodation, and with your Lordships' permission I will read two or three lines of their Report. After dealing with the accommodation for messing, and reading and sleeping rooms, they call attention to the fact that very large sums are paid by the parents of these young gentlemen, the accommodation for whom is in these respects so wofully deficient. They say—

"The Board are very far from wishing to recommend luxurious quarters to young men entering a profession in which comfort is so frequently to be sacrificed, but they are unanimously of the opinion that sufficient accommodation is not afforded. The fees paid by the parents of cadets have been already raised from £125 to £150 per annum; the rooms can only accommodate properly 211 cadets, and additional rooms are, therefore, urgently required for 63."

I will not trouble your Lordships by going further into these Reports. They are very interesting reading, but I trust the noble Earl, when he answers the question which I put to him, will be able to give your Lordships a satisfactory reply, because I think a very small additional outlay from the enormous amount of the Army Estimates will contribute very much to the comfort and convenience of these young gentlemen, both at Sandhurst and at Woolwich, who I am certain, will be an honour to their country.

*THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, I will endeavour to explain to the House what is being done both at the Royal Academy at Woolwich and at the Royal Military College, Sandhurst, in the way of structural alterations. I may say that the Secretary of State for War takes very great interest in this question, and that he is very anxious, as far as he possibly can, to make the structural alterations which have been recommended by the Board of Visitors. The Board of Visitors complain of the messing arrangements at Woolwich not being satisfactory. Additional accommodation has been obtained by alterations and by re-arrangements, which include the enlargement of the dining-room, and it is hoped, therefore, that this difficulty will not be felt in future. It was proposed, as your Lordships may be aware, to erect a chapel at Woolwich, and this has always been, if I may say so, rather a pet scheme of the Secretary of State for War, but it was pointed out by the Visitors that it would be advisable to postpone the erection of the chapel, and to devote the money which would have been expended in that way to the erection of more single quarters for cadets. Single quarters for 20 cadets are now in progress. I should be very sorry to place any limit upon the duration of building operations, but it was hoped that they will either be finished or in a very forward state at the end of the financial year. The supply of gas is another thing to which attention has been called by the Board of Visitors. I am informed the gas lighting has been very much improved, and it has been hoped that what has been done will meet the views of the Visitors. With regard to Sandhurst, the first thing I think the Board calls attention to is the

want of certain outhouses, and conveniences for the cadets. This work would have been carried out immediately, but the authorities of the Royal Military College at Sandhurst have begged that the work might be postponed until the Vacation. As soon as the Vacation arrives, the work will be gone on with, and will be completed as soon as possible, so that the place is to be ready for the cadets immediately after the Vacation. The next thing to which attention is called is the old laundry. The old laundry was in a very bad condition, with none of the conveniences which are required for a modern laundry. This work was taken in hand at once at a cost of £1,250, and I am informed that it is now completed. The supply of gas is another thing that has been complained of. It has been very much improved and very much increased, and it is hoped that now the supply of gas will be sufficient for the needs of the establishment. I may mention that the Board recommend that the working parties should be increased. That is a matter which I am afraid has not yet been settled; but it is now under the consideration of the Adjutant General, and the Adjutant General has promised me that he will look into the matter and will make the best arrangements he can for the increase of the working parties. As regards the education at Woolwich, the present scheme of education has not been sufficiently long in work to prove its advantages or its defects. It is not proposed to make any alteration at all, but according to the recommendation of the Visitors, it is proposed to get a Report next year upon the working of the education scheme at Woolwich. With regard to Sandhurst, it is proposed as soon as possible to increase the course of instruction and to extend it to three terms, as has been recommended. Of course there is one little difficulty, that by increasing the number of terms, young men will pass more slowly through the College than they do at present; but this difficulty will be partly removed by another proposal, which is that University candidates will no longer go to the Royal Military College. After they have passed their examination at the University it is proposed that they shall be attached to Militia regiments and pass through a School of Instruction, and also pass a technical examination, but that they should not be required to go to Sandhurst. I think from what I have said your Lordships will see the matter has not been allowed to sleep, but that a good deal has been and is being done, and though perhaps everything is not quite satisfactory, yet still I hope, when the Board of Visitors next go to Woolwich and Sandhurst, they will find that a great deal has been done to carry out their recommendations.

LORD HARLECH: My Lords, as one of the Board of Visitors of these establishments, I should like to say a few words. I have very little to add to what the noble Lord has just said. The Board has made their inspection of these two establishments within the last month, and they were very gratified to find how much had been done towards carrying out their recommendations. I may particularly remark upon the additional rooms, which will accommodate 20 cadets in addition, and thereby release all the rooms which contain four cadets, a number which the size of the rooms cannot, either from a sanitary point of view or as regards efficiency, accommodate. Certain things have not been done, but they are in course of consideration. The gas supply and the ventilation are two very important things—I speak with regard to Woolwich. With regard to Sandhurst, there was a most disgraceful laundry established there last year; we were very happy to see that that had been removed, and that in place of it a most admirable laundry had been erected, with all modern appliances, and in a proper condition for carrying out all the work that was required of it. Also the sanitary arrangements have been added to, and in a great degree the requirements of that admirable establishment at Sandhurst have been met. There is no comparison between the two institutions, and I can say from observation during many years that the Woolwich establishment requires a great deal of remodelling, and probably removal to a different site.

CHARTERED ACCOUNTANTS BILL [H.L.]

A Bill to amend the Law relating to Chartered Accountants—Was presented by the Lord Herschell; read 1ª; to be printed; and to be read 2ª on Friday next. (No. 230.)

FACTORIES AND WORKSHOPS BILL.

(No. 195.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*THE EARL OF DUNRAVEN: Before your Lordships go into Committee on this Bill I should like to make one or two short remarks, and to ask my noble Friend for an explanation of one or two points which appear to me rather difficult to understand. I do so now, because I was unable to be in my place when the Bill was read a second time. Perhaps the most important portion of the Bill is that which deals with sanitation. According to the principle of the Bill it appears to me that unless some alteration is made in it, sanitation will be in a worse condition than it was before. According to the principal Act, as your Lordships are aware, the sanitation of workshops is divided between the Factory Inspectors and the Inspectors of the Local Boards. By this Bill the whole of the sanitation devolves upon the Local Authorities; it is taken altogether out of the hands of the Inspectors under the Factory and Workshop Act. I do not wish to make any comparison between public bodies and public servants, but this I will say, that undoubtedly Her Majesty's Inspectors are a most intelligent and extraordinarily hard working body of men. I do not mean to say that the officers of the Local Authorities do not do their duties, but your Lordships must bear this in mind, that the Inspectors of Nuisances and other officers are appointed by public bodies, and rely for their tenure of office and for their living upon bodies, the members of which may be, and undoubtedly in may cases are, the very persons who are interested in the insanitary dwellings, and are the very persons against whom it may be the duty of the officers to take proceedings. I do not think that is a very fair position in which to place any men. I do not see what provision there is in the Bill, or that there is any means whatever of exercising any practical supervision over the Local Authorities, or any means of seeing that they do their duty. The ultimate Authority is the Secretary of State. How on earth is the Secretary of State to become cognisant of whether the local bodies throughout the country are or are not doing their duty? It would be impossible for the Secretary of State to be able to exercise any real or reliable authority. It is quite impossible for any administrative department to do so. It is out of the power of the Local Government Board to do it. The Local Government Board is a very excellent authority, but if your Lordships have ever had any personal experience of bringing any individual insanitary case before the Local Government Board, I think your Lordships will agree with me that that Board is the absolute negation of perpetual motion. It writes a good many letters, but nothing very particular occurs. Of course, if there is a very large area which becomes insanitary, or if there is a large outbreak of disease, the Local Government Board interferes; but it is absolutely impossible that it can interfere in a number of small cases happening all over the country. It is physically impossible it can do so, unless its staff were increased tenfold. As matters now are, according to the principal Act, it is the duty of the Factory Inspectors to attend to a considerable portion of the sanitation of workshops. According to this Bill that duty will devolve entirely upon the Local Authorities. There must be a great temptation in many cases to the Local Authorities not to do their duty in these cases, they themselves being very often personally interested, and I may say that it is utterly impossible to suppose the Secretary of State can exercise any effectual supervision over those Local Authorities. Then I should like to ask the noble Lord how it is supposed the Secretary of State is to become satisfied that the provisions have, or have not, been carried out. The Bill says that if the Secretary of State is satisfied that the provisions relating to the public health are not observed, he is to do certain things. But how is he to become satisfied? Who is to give him any information about it? I presume the Factory Inspectors. Then the only ground on which a Factory Inspector can enter a workshop in which no protected persons are employed, that

is to say, where men only are employed, is in order that he may be satisfied that the sanitary regulations are carried out; but those sanitary powers are now taken away from him, and under this Bill the Factory Inspector would have no power whatever to enter any workshop where men only are employed. I am quite prepared to hear it stated that the fourth section is intended to apply to workshops where men only are employed, but at the same time that takes away from the Factory Inspectors the duty of seeing that the sanitation is properly carried out. That is, I think, inadvisable in regard to places where men only are at work. On those two points I beg to appeal to the noble Lord. That is all I wish to say on the general principle of the Bill. Though this House does not go quite so far as I should like, I desire to take this opportunity of expressing my satisfaction that Her Majesty's Government have brought, and have carried to this stage, a Bill which, if it is effectively administered, will no doubt prove of great benefit to the working classes of this country. I have myself put down a considerable number of Amendments, and there are a good many Amendments in the names of noble Lords. I should wish to say at once that I place myself to a considerable extent in the hands of Her Majesty's Government, who are to judge of the condition of the business in the other House of Parliament. We, in this House, are so situated that whenever we have plenty of time we have nothing to do, whenever we have something to do we have no time. We have been sitting about six months, and have had nothing to do; but now that we have business of considerable importance before us, the Session is drawing to a close, and I say at once I would do nothing whatever that could by any possibility jeopardise the passing of this Bill during the present Session; but at the same time there are some Amendments of great importance presented, and I trust Her Majesty's Government will give them their careful consideration, and will allow them to be added to the Bill.

LORD DE RAMSEY: My Lords, I will endeavour shortly to answer the two points which the noble Earl has put before us. I can very well understand that his whole object in his Bill, as we have seen it in print, was to make the power of inspection, both as regards sanitation and as regards hours of labour, a great deal more stringent than Her Majesty's Government thought was necessary. Therefore, it will be seen that throughout the noble Earl's Amendments—I think I might say almost all through them—he is asking for more stringent powers than we consider the state of our factories and workshops requires. He is alarmed at the proposal that we make with regard to the large transfer of power in the matter of sanitation from the Factory Inspectors to the Local Sanitary Authority as regards workshops; but, my Lords, surely in these days, when we have local government creeping on in every way, there is no reason for denying the Local Authorities the power to look after the sanitation in their own particular districts. But let me go a step further, and point out to the noble Earl that if we were really to increase the number of Factory Inspectors or officers generally, the expense would be so enormous that it would not be at all commensurate with the good which would be derived. I have no doubt if we could afford to put a policeman behind every criminal we should have much less crime; but the cost of doing it would be hardly made up, I think, by the result of the diminution in crime. So, I think, if we increased the number of Factory Inspectors we might do away with a certain amount of mischief; but I think that, whatever the noble Earl's requirements as regards sanitation are, he, in fact, wants to know how in the workshops we are to get at the matter of sweating. I think, when we come to consider that so many of the recommendations of the Sweating Committee have been met in the Government Bill, either in whole or in part, the noble Earl was right when he gave the Government credit for having introduced this Bill. I may also say that the labours of that Committee have gone very largely to help us in this House; but he doubts very much whether, under Clause 1, which is really the mainstay of our new scheme, the stringent powers given to the Secretary of State are sufficient, or whether the Secretary of State will be able to find out when anything wrong

is going on. Our Inspectors will certainly in the future, as they have in the past, give us the very best information, and the Secretary of State, on the slightest idea being conveyed to him that anything wrong is going on—say that a breakage of the law is going on, or that sweating is going on in any particular district or trade—will at once take steps in that particular district or in that particular trade for a certain time, say for two years, or more if necessary, to put that district or trade under stringent regulations, in order to bring it into the state which the law requires. I have done the best I can, and as far as I can, to answer the two questions of the noble Earl. I much fear our Bill does not go quite so far as he would like; but I hope, at the same time, he will admit it is an honest and, so far, successful attempt in the direction of the reforms which he has so much at heart.

On Question, agreed to.

House in Committee accordingly.

Clause 1.

LORD THRING: I wish to point out that this clause will not work at all. What does it really say? It says, "Where the Secretary of State is satisfied of the condition of a factory or workshop." Why, my Lords, he has no power to be satisfied as to the condition of a factory or workshop. Instead of retaining the existing law that a certain workshop should be under the Inspectors of the Secretary of State, this Bill refers them to the Sanitary Authority. Then, again, with regard to the clause itself, one of the most important of all sanitary directions is that the drainage should be kept free, and that certain domestic appliances should be found in every factory or workshop. This clause does not extend to them at all, and I challenge the noble Lord to say how it extends the law in any way whatever. At the present moment, under the existing law, a Factory Inspector has full power, when the directions as to ventilation and overcrowding or with respect to limewashing are not obeyed, to enforce the law. The real effect of this clause is really to diminish the powers of the Inspector, and consequently to diminish the powers of the Secretary of State, and so far from being an extension of the factory and workshop law, it is, in fact, a very great diminution of the law.

*THE MARQUESS OF RIPON: My Lords, I really should like to have some further information upon this matter. I quite agree with the noble Lord who has just sat down that this clause, so far from extending the powers of the Inspectors with regard to the inspection of workshops, undoubtedly diminishes their powers. The noble Lord said just now that the Factory Inspectors are an excellent body of men on whom the Secretary of State can rely. I entirely agree with him, but I would point out that he is going to transfer the daily constant inspection of these workshops, in respect of sanitary matters, from those excellent officers and to leave that duty in the hands of local officers, who are not by any means of the same description; and he is going to rely upon a clause which says that if the Secretary of State happens to hear that in any district the workshops are not conducted in a satisfactory manner, he is to have the power of sending his Inspectors round to see into the matter. To propose that as a sufficient substitute for the present system of inspection of workshops is, I must say as it appears to me, a very great mistake.

LORD DE RAMSEY: I forget whether the noble Marquess was present at the Second Reading of the Debate, but the reason for the transfer of the power from the Sanitary Inspectors to the Local Authorities is in consequence of the number which would be required. It is utterly impossible, unless we raise the number of Factory Inspectors to an army, that we could inspect the whole of the workplaces and workshops of this country. It would be utterly impracticable. Those places are in thousands and tens of thousands, and it was considered utterly impossible to do so. The noble Lord who says this clause will not work gives various reasons for his statement; but I hope, at all events, your Lordships will allow us to try it, and if we find we fail it will be very easy afterwards to rectify it.

*THE EARL OF DUNRAVEN: The noble Lord says that it would be impossible for the Inspectors to do this work, but I would point out that up to

the present they have had to do all the work that has been done. It seems to me there is no more additional work for them to do, but, notwithstanding, the power is taken out of their hands. I fail to understand the strength of the argument that they cannot do the same work now without the Government increasing their numbers. If it be the fact that the factories and workshops have so largely increased, the argument, to my mind, would be that there ought to be an increase in the number of Factory Inspectors; and I do not, I confess, like to hear the argument put forward that the good gained would not be worth the additional expense. The good to be gained would be that the law would not be broken, and that the physical, mental, and moral health of the working classes would be preserved. I should be sorry to think Her Majesty's Government would grudge a little money for a purpose of that kind.

Clause agreed to.

Clause 2.

LORD THRING: I should be glad if the noble Lord would tell me what the meaning of this clause is. I am extremely familiar with the law upon these matters, but I am utterly unable to discover what the principle here is. Section 4 says that an Inspector of a factory, when he finds the drains out of order, should tell the Sanitary Inspector, and that then the Sanitary Inspector should act. Then this clause says that Section 4 of the principal Act shall apply to additional workshops. But what is the use of it, because the Factory Inspector has no longer power to go into these workshops, and how can he inform the Sanitary Inspector of their condition or anything about them?

LORD DE RAMSEY: The special sanitary provisions which are referred to here relate exclusively to matters of cleanliness and limewashing. As I understand, the noble Lord is referring to provisions which relate to the ordinary sanitary matters of workshops, as well as places where workpeople are employed. That is the object of the sanitary clause.

LORD THRING: But Section 4 of the principal Act is to apply.

*THE EARL OF DUNRAVEN: Can the noble Lord tell me whether a Factory Inspector has power to go into a workshop where no women or children or young persons are employed, and, if not, why?

LORD THRING: I think I am correct. Section 4 of the principal Act says where a Factory Inspector finds anything wrong he is to give notice to the Sanitary Inspector, who is to put the defective arrangements in order. That does not apply to this matter at all.

LORD DE RAMSEY: With regard to the question put by the noble Lord, I have only to say that the Factory Inspector would act.

THE EARL OF KIMBERLEY: I do not think the noble Lord has really answered the question put to him. Section 4 of the principal Act says that where it appears to the Inspector under the principal Act that there is any defect in any drain, water-closet, and so forth, he is to give notice to the Sanitary Authority in whose district the factory or workshop is situated. But, as I understand, the Inspectors appointed by the Secretary of State are no longer to visit these places, but they are to be put under the Sanitary Authority. What, then, is the meaning of the provision that notice is to be given to the Sanitary Authority? Because, as I understand, the Sanitary Authority is to be primarily the authority to deal with these matters, and all the Factory Inspector has to do is, if it is found from any information that reaches the Government that the Sanitary Authority is not doing his duty, he may act. I suppose the Factory Inspector may then step in and do certain things, but that does not seem to make this Section 4 agree with this Act. I should like to have some explanation upon that point.

LORD DE RAMSEY: It is just the other way. If any information comes to the ears of the Factory Inspector, he informs the Government; not that if it comes to the ears of the Government they inform the Factory Inspector. The information reaches the Government, and then special steps are taken.

THE EARL OF KIMBERLEY: I am sorry to contradict the noble Lord, but I think he does not quite understand the clause. Section 4 of the principal Act, which is embodied in this Act, says that the Factory Inspector, on becoming aware of a defect, is to inform not the Government, but the Sanitary Authority. Now, the Sanitary Authority is under this

Bill, if I understand it, constituted primarily the Authority which is to deal with these matters. It is not the Sanitary Authority which is to call attention to it, but the Sanitary Authority is to act. I may be wrong about that, although I do not think so, and I am only asking for an explanation of it.

*THE EARL OF DUNRAVEN: I am not quite sure that the difficulty which occurs to me is clearly understood by the noble Lord. My point is that I do not see how the Factory Inspector is to get into the workshop at all to find out whether or not it is in a sanitary condition. Under the principal Act, a Factory Inspector has no right to go into a workshop where no women, children, or young persons are employed except for the purpose of seeing that the sanitary provisions of the Act are carried out, which it has been his duty up to the present to see to. Now, by this Bill those duties are taken away from him, and consequently he will have no right whatever to go into any workshop where men only are employed. Therefore, I do not see how he can do anything in the matter.

Clause agreed to.

Clause 3.

LORD THRING: I rise again to point out, though of course I shall get no explanation whatever, with regard to Clauses 3 and 4, that they also are absolutely inconsistent and unintelligible. In fact, the whole of the Sanitary Law relating to factories and wokships is now in such a state that while it is impossible at present for any human being to understand it, it might really and truly be included in three sentences. There would not have been any difficulty in consolidating it. I shall be told no doubt that I am angry because my Consolidation Bill was not accepted. I am not in the least angry about it, but I do say this: that when the whole of the Sanitary Law relating to factories and workshops could be easily comprised in three sentences, it is rather astonishing that we should increase the difficulty, because when this Bill is passed we shall have three separate Acts of Parliament with different sets of clauses, which I defy any human intelligence to reconcile or to find the meaning of. With regard to this particular clause, we find that all these things are to cease to apply; but what they are I do not know. You will find in the 4th clause that what would have been abolished by the 3rd clause is not restored. Is that intended? If so, it is a great diminution of the powers which ought to be given. I speak with the greatest possible diffidence, but I have spent two days over this, and have failed to discover its meaning.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I think it is very hard, when the noble Lord knows of a talisman that will solve all our difficulties—when in three sentences, as I understand, he is able to boil down the contents of three or four Acts of Parliament—that he has not revealed the secret to the House.

LORD THRING: It is the secret which I did reveal to the House.

THE MARQUESS OF SALISBURY: On which occasion?

LORD THRING: I drew a Bill which dealt with the matter.

THE MARQUESS OF SALISBURY: It is quite evident the noble and learned Lord did not draw the Bill which is before the House. I think, if I may venture to say so, there are distinctions on minute questions of drafting, as far as I understand from the noble Lord, which, if I shall not be accused, as I may perhaps be, of referring constantly to the same object, had better be dealt with by the Standing Committee than here. I think it will require a great deal of careful reference to the Acts of Parliament which are concerned, and there will be more possibility of testing there the noble Lord's criticisms (which I cannot but think have something of the bitterness of disappointed parentage) than there is at the present moment.

Clause agreed to.

Clauses 4 and 5 agreed to.

LORD THRING: My Lords, after Clause 5, I propose to insert a new clause, giving to the County Councils supervision over the sanitary conditions of workshops. With respect to the argument which has been so often used against me, I cannot deny that for a great many years I was employed in drawing Acts of Parliament, and I cannot deny that I have sometimes endeavoured

to criticise Acts of Parliament; but I cannot see that if I lay before the House a clause which the House thinks acceptable, it should be rejected simply because I may have been employed as a draftsman of Acts of Parliament. Therefore, I hope noble Lords will not be discouraged in accepting this Amendment by the fact that I have been a draftsman of Acts of Parliament. The clause only requires a very few words to explain it. Your Lordships have heard already that the greater part of the factory inspection has been handed over to the Local Authorities. What has happened? I had the honour of sitting on the Sweating Committee for two years, and what did we find? We found the plague spots of all our trade—the sweaters' dens, the miserable places where there was neither air to breathe nor cleanliness of any sort—were all under local inspection, and what happened was that there was no inspection at all, because they were all under the Local Authorities. I hope that at all events the law would be made plain, and that they would have been put under the County Councils. The whole object of this clause is that the County Councils which are already invested with considerable medical powers, and which are already really and truly entrusted, by the Act of 1888, with the responsibility of seeing to the sanitary condition of this country, should have a general superintendence of the Local Authorities. I do not intend to deny—I should be very far from doing so—that in many cases the Local Authorities perform their duties with assiduity, and keep their towns clean and the workshops in them healthy. The effect of this clause will be that in such cases the County Councils will not interfere with them; but I and my colleagues who sat with me on the Sweating Committee know well that this is not a universal picture. They know well that all over England there are places in which men work, especially in the smaller towns, in filthy and noisome dens, without the smallest attention to the needs or health of the people working in them. All I ask, then, is that the County Council should have the superintendence and the power of interfering with those noisome places where those who have the power of inspection neglect to interfere with them. I trust your Lordships will accept the clause.

Amendment moved, after Clause 5, page 3, to insert the following Clause:—

"The county council of every county, except the county of London, shall be charged with the duty of superintending the inspection of workshops within their jurisdiction, and of seeing that the sanitary inspectors perform their duties efficiently; they may dismiss any sanitary inspector whom they find to be inefficient, and require the sanitary authority who appointed such inspector to appoint a fit person in the place of the official so dismissed; and if the sanitary authority fail to appoint, within a reasonable time, a person who is, in the opinion of the county council, a fit person, the county council may themselves make the appointment. A county council may, for the purpose of executing their duties under this Act, appoint such superintending inspector or inspectors and pay him or them such salary or salaries as they think just, and any expenses properly incurred by a county council in carrying into effect the provisions of this Act shall be general expenses properly incurred by them in the performance of their duties. An inspector appointed by the county council under this Act shall have all the powers of an inspector under the principal Act as amended by this Act and of a sanitary inspector under the Public Health Act, 1875."—(*The Lord Thring.*)

LORD DE RAMSEY: My Lords, let us see how the proposal of the noble Lord works. He proposes to give to the County Council control over the Sanitary Inspectors in inspection of workshops. He does this to prevent sweating.

LORD THRING: Pardon me, I did not say anything about sweating at all.

LORD DE RAMSEY: Then I withdraw that, though I rather gathered it from the noble Lord's observations. In the larger towns—that is to say, the county boroughs, such as Leeds and Birmingham, the Sanitary Authority is, of course, the County Council in the borough. The noble Lord's proposal to that extent is nugatory. In the next largest towns, which are the non-county boroughs the Sanitary Authority is the Town Council of each borough. I do not think that the Town Council of a borough, with all the municipal arrangements of Mayor and Corporation, would like to submit to be under the Council of the county at large. Then we come again to the rural districts. The Boards of Guardians are the Sanitary Authorities in rural districts. I do not know whether the noble Lord would really like to press that point as regards the rural districts; but in London the

noble Lord proposes to omit it altogether. Now, certainly, if it is anywhere wanted it might be in the County of London, but, generally speaking, we think it is very inadvisable to accede to the noble Lord's proposal, and I hope your Lordships will reject it.

LORD THRING: The reason why I did not think it necessary to include London was because London is under a perfectly different sort of management, and under different Acts. Of course, with regard to the larger towns, I shall be very glad to exempt boroughs of several thousand inhabitants. With regard to Boards of Guardians in rural places, if they do their duty *cadet quæstio*, and the County Councils will not interfere; but with regard to the smaller boroughs there are many very small places in England with less than 5,000 population; and there will be Urban Sanitary Authorities all over the place, some of them extending to only 200 or 300 people. There is no reason whatever why the County Councils should not interfere in those cases, in my opinion, when they do not do their duty. Of course, it is useless for me to divide upon a question like this after what the noble Lord has said on behalf of the Government. I have done all I can to carry into effect the recommendations of the Sweating Committee, which took so much trouble in these questions, and I think your Lordships will do well to accept this clause, with the modification that it should not apply to the larger boroughs.

*THE MARQUESS OF RIPON: I think something of this kind would be a great improvement in the Bill. We have, in the clause which we have just passed, undoubtedly diminished the efficiency of the inspection of these workshops as it exists under the present Act, because we have transferred the ordinary inspection of the workshops, in respect of sanitary matters, from the Factory Inspectors to the Local Authorities. It seems to me if the House is determined to do that it would be going simply in the right direction if we were to give to the County Councils the power suggested by my noble Friend in this respect. The County Councils have had conferred upon them general sanitary powers, and they have appointed sanitary officers, who have charge of the sanitary arrangements throughout the country. My experience of the arrangement is that these powers are very good and useful, and I think that, if we went in the same direction and gave the general inspection of workshops to the Inspectors of the County Councils, it would be an advantage. I do, however, think my noble Friend goes a little too far in this clause, and that it would be found to work with great friction. I think to give the County Councils power of their own mere motion to dismiss the Local Sanitary Inspector would be going too far, and that would be practically found not to work well. I should be glad to support the clause generally, but I think in some respects it would require to be amended on Report. Perhaps the noble Lord would re-consider the matter in that light, and bring it up on Report.

*THE EARL OF DUNRAVEN: I do not quite agree with my noble Friend, with regard to this power, because it does set up an authority which would exercise some effective control over the Local Authorities. What I object to is the extreme centralisation. I do not object to the whole of the sanitation devolving upon the Local Authority, but I do object that the new authority exercising control over them should be the Secretary of State. It is absolutely certain that if the authority is centralised to that extent no real supervision can be exercised, and I must say that the County Council would be a very good authority to exercise proper control.

THE MARQUESS OF SALISBURY: I only rise to ask for an explanation. What I want to know is how the County Council is expected to do the work which they are required to do under the clause. It says "the County Council of every county, except the County of London, shall be charged with the duty of superintending the inspection of workshops within their jurisdiction, and of seeing that the Sanitary Inspectors perform their duties efficiently." I am a member of the County Council in my own county, and I know that the County Council have no officers to do this. The County Councillors will have to go round themselves. Am I to understand that the County Council is to appoint a

subsidiary set of Inspectors to watch the other Inspectors? It appears to me that it is a very Japanese method of proceeding, which may be necessary if you find the Sanitary Inspectors utterly unworthy of trust, but it is so exceedingly expensive that I think we ought to be careful before adopting it.

THE EARL OF KIMBERLEY: The noble Marquess will observe, if he reads the whole of the clause, that it provides for the appointment of a Superintending Inspector. I would point out that that is not at all foreign to the ordinary functions of a County Council. For instance, the County Council Highway Inspector is very much in the same position, and I do not see anything unworkable in having a General Inspector, whose duty it would be to see that the Sanitary Inspectors did their duty. I agree with the noble Lord opposite (the Earl of Dunraven) that it is very necessary there should be some supervision of these Inspectors. I agree with my noble Friend behind me that it would be impossible to apply it to Municipal Boroughs. They must be exempted. But I have had some experience of the sort of people who are appointed as Sanitary Inspectors by Boards of Guardians, and I can assure the House that they will require very careful looking after in order to see that they perform their duties. Very often they are not people who are very able to perform the duties entrusted to them, nor are they very active in seeing that nuisances or causes of complaint are removed. The Secretary of State cannot exercise, to any large extent, supervision. If any gross case comes to his knowledge he has the power of sending a Sanitary Inspector down to examine it; but the ordinary duties to be performed day by day by those Sanitary Inspectors I feel very certain will be neglected or very cursorily performed indeed, unless you give some other power besides the Secretary of State the means of controlling them. For my part I do not think you could put the matter in better hands than those of the County Council. I hope, however, my noble Friend will not press this clause now in Committee, and if he will bring up another clause on Report I think it might meet with more support.

LORD THRING: I quite agree with the noble Lord's suggestion in reference to bringing up another clause on Report, but with regard to the noble Marquess' criticism that this is a somewhat Japanese method of proceeding, I can only say that nothing would be easier than to make the Sanitary Authority perform the duty cast upon them and do what has existed to some extent in Surrey, that is, to appoint some one to go throughout the county and see that the duties are performed by the officers who have charge of them.

VISCOUNT CRANBROOK: I think it right to point out that there is a paragraph in this clause which seems to me wholly inconsistent with the ordinary rules of government; that is to say, that the Inspectors appointed by the County Councils under this Act shall have all the powers of Inspectors under the principal Act. That is to say, he is to take the place of the Government Inspector. So that there will be two sets of authorities or Inspectors having the same powers. That seems to me an absolutely impossible state of things.

*THE MARQUESS OF RIPON: This clause applies only to workshops, and you have withdrawn the inspection of workshops from the Factory Inspectors.

VISCOUNT CRANBROOK: Then it is still more remarkable, because in the latter part of the clause the noble Lord gives the absolute and entire power of inspection to the County Council Inspectors.

LORD THRING: I withdraw my Amendment.

Amendment (by leave of the Committee) withdrawn.

*THE EARL OF DUNRAVEN: The new clause which stands next on the Paper in my name is merely for the purpose of laying down a minimum of cubic feet of space that ought to be allowed to persons in workshops. Your Lordships will see by the 1st clause that when the Secretary of State is satisfied that the provisions of the law relating to overcrowding and so on are not carried out, certain things are to be done. But the difficulty is that there are no provisions in the law relating to overcrowding. We had a great deal of evidence before the Sweating Committee of the great difficulty and inconvenience which arises on that account. I remember one of the Inspectors saying that some authori-

ties consider 400 cubic feet to be necessary, while another set of authorities might consider that not more than 160 cubic feet would be sufficient. It appears to be very hard on owners of factories and workshops, because they have not the least idea what space they ought to provide. They may be come down upon at any moment, and told that they are breaking the law, and in fact they may have been practically breaking the law for ever so long, without having the least idea of it; whereas if a minimum of any kind was laid down, there would be no difficulty. I have taken from the evidence given before your Lordships' Committee what is considered to be the absolute minimum, and if some definite figure is laid down, then a man would be able to construct his factory or workshop in accordance with that minimum, and would not be liable at any time to be told that his factory or workshop is "over-crowded." I hope Her Majesty's Government and your Lordships will agree with this clause, or at any rate as to the principle of it. I am not particular as to the 250 cubic feet by day or the 400 cubic feet by gaslight, but I do think that what is over-crowding should be, by some means or other, ascertained.

Amendment moved to insert the following new Clause:—

"Clause A.—(1.) A factory or workshop shall be deemed to be overcrowded while work is carried on therein in all cases where less than two hundred and fifty cubic feet of space is allowed to every person employed therein by daylight, and where less than four hundred cubic feet of space is allowed to every person employed therein by gaslight.

(2.) Provided that if an inspector, or in the case of a workshop a medical officer of health, is of opinion that efficient means have been adopted in any factory or workshop which is lighted by gas to prevent the atmosphere therein becoming vitiated by the gaslights, such inspector or such medical officer of health may give to the occupier of that factory or workshop a certificate to that effect and in the prescribed form, and where a certificate has been so given so much of this section as relates to the employment of persons by gaslight shall not apply in the case of persons employed by gaslight in that factory or workshop, and persons employed therein at any time shall, for the purposes of this section, be deemed to be employed by daylight.

(3.) Nothing in this section shall be read or construed so as to restrict the application of section three of the principal Act as amended by this Act, or so as to interfere with the powers of a Secretary of State under that Act as amended by this Act."—(The Lord Kenry [*Earl Dunraven and Mount-Earl*].)

LORD DE RAMSEY: The noble Lord, by his Amendment, endeavours to lay down a hard and fast line as to what is overcrowding. There is no sufficient reason for this proposal, or for such a very drastic remedy. It has not been found difficult to get convictions from the Magistrates upon satisfying them that overcrowding existed and where cases of overcrowding have been proved. There are manifest objections to this proposal. Overcrowding is only one element of the case. It is not applicable to all cases, or to the object at which the noble Earl desires to arrive. A room may be well ventilated when it has only two people in it; it may be ill ventilated if it has two, though it might be properly constructed as regards ventilation, say, for five. It is almost impossible to arrive at a proper figure in this matter. According to the noble Earl, a cobbler's shop, half open to the street, would come under his definition. Then, again, much depends upon whether rooms are used continuously or intermittently for a long or a short time. There are very many reasons against the proposal, and I cannot ask your Lordships to accept it.

On Question, disagreed to.

*THE EARL OF DUNRAVEN: I now move to insert Clause B. It is a clause, as your Lordships see, affecting cellar workshops, and which I think is necessary, even upon the logic of our present legislation. The general tendency is to apply to workshops such sanitary rules and regulations as apply to houses and dwellings, and that is quite right and proper no doubt; but there are special requirements which apply to cellar dwellings, and all I wish to do is to apply them equally to cellars which are used as workshops. Many of your Lordships know very well what kind of places these cellar workshops are. You are also well aware that men work in them for inordinately long hours, sometimes all day and all night, and I think it is perfectly obvious that they ought to be at least in the same sanitary condition as the law would require if they were to be used as dwelling places.

Amendment moved, after Clause 5, to insert the following new clause—

"Clause B.—(1.) It shall not be lawful to let or occupy or suffer to be occupied as a workshop any cellar whatsoever, unless all the regulations which are prescribed by Section 72 of the Public Health Act, 1875, as the conditions under which cellars, which were let or occupied as dwellings at the time of the coming into operation of that Act, may be so let or occupied are complied with.

(2.) For the purposes of this section the expression "cellar" means and includes any vault or underground room.

(3.) Where it appears to the Sanitary Authority that a cellar is let or occupied contrary to the provisions of this section, the Sanitary Authority shall give notice in writing to the owner or occupier that the same is let or occupied contrary to the provisions of this section.

(4.) Any person who lets, occupies, or knowingly suffers to be occupied, any cellar, contrary to the provisions of this section shall be liable to a penalty not exceeding twenty shillings, nor less than five shillings, for every day during which the same continues to be so let or occupied after notice in writing from the Sanitary Authority that the same is let or occupied contrary to the provisions of this section.

(5.) Where two convictions against the provisions of this section have taken place within three months (whether the persons so convicted were or were not the same) a court of summary jurisdiction may, in addition to any penalty, direct the closing of the premises forthwith, and may empower the sanitary authority to close the same forthwith and to defray and expenses incurred by them in the execution of this section.—(The Lord Kenry [*Earl Dunraven and Mount-Earl*].)

LORD DE RAMSEY: This is a proposal to extend to underground workshops the provisions which now apply to underground dwellings. There is, of course, a wide difference between a dwelling where a family is continuously living with young or old people, with the door and window perhaps continually shut, and a workshop which is intermittently used; sometimes only for a few hours in the day. Many workshops are used quite intermittently, for instance, a saw-pit is a workshop, and the conditions which the noble Earl proposes to apply would surely be relevant to that case. But, my Lords, the general provisions of the Public Health Act require that a workshop should be kept free from dirt or smell, and should not be over-crowded, but should be properly ventilated. Surely those words are amply sufficient. I take it the real difficulty is the enforcement of the regulations that we have now upon very poor people; but, at all events, I hope your Lordships will not assent to this proposal of the noble Earl.

*THE EARL OF DUNRAVEN: I must say I think the noble Lord has not given any very strong reason why we should not apply to cellars used as workshops the same rules as are applied to cellars used as dwellings. You do apply rules to houses which are used as workshops, why not apply them then to cellars which are used in the same way? The fact is that owing to the unhealthy situation of underground places, special regulations were advised as regards sanitation, and so on, to enable people to live in them, and I take it that is a very strong reason for applying the same rules to them when they are used as workshops. I really cannot imagine any worthy reason against it, or any inconvenience or hardship that can arise from it.

EARL FORTESCUE: I do not think I shall be suspected of indifference to sanitary measures, but it should be remembered that the circumstances of a dwelling, whether a room or a house, and the circumstances of a workshop are very different. I remember when I was Chairman of the Metropolitan Commission of Sewers, I had instances of men who were working occasionally for a good part of the day in the sewers, and I never remember hearing of any particular ill-health being occasioned to those men, who were, of course, awake while they were at their work. It is notorious that you may travel by day through the Pontine Marshes while you are awake, although it is very dangerous to sleep there. I have known friends of mine to spend a day shooting there, but they would have been almost certain to catch the Marsh fever if they had slept there. The circumstances differ in the cases of men who are at work, and, of course awake, and while sleeping. The conditions are very different indeed. A dwelling may be quite unfit for human habitation during the 24 hours, and for sleeping in, the conditions of which may not be too unfavourable for people to work in it for a limited time, for the reason that I have given. No one would think of sleeping in a sewer, or consider it other than a very deadly thing to do, but a certain number of men are habitually employed at work in sewers, and judging from my own experience, and

from what I have heard since, without suffering materially or at all beyond others in health in consequence. I, therefore, though by no means indifferent to sanitary conditions, think that the principles which are applicable to a dwelling-house are not necessarily applicable to a place for working in.

On Question, disagreed to.

Clauses 6 to 10 agreed to.

Clause 11.

LORD SANDHURST: I have a small Amendment to this clause. The Bil states that a printed copy of the prescribed rules shall be given by the occupier to any person affected thereby, on his or her application. Our experience on the Sweating Committee was, as a rule, that whenever there were rules or regulations provided to be posted up, they were either wholly or partly hidden away behind doors or shutters as the case might be. Here you propose that they should be given to workpeople on application by them. Since the Sweating Committee sat I have made enquiries, and what I am told is that poor workers will never make application for such rules, in the first place, because such an application would be considered an affront to the master, and in the next because they are afraid of being, as they consider, "marked down." I do not think making it obligatory can impose any hardship upon the employer, and I therefore ask your Lordships to agree to this small Amendment.

Moved, in page 6, line 23, to leave out from "person" to end of line, and insert "so employed." — (*The Lord Sandhurst.*)

LORD DE RAMSEY: My Lords, the words inserted in the Bill were so inserted following more or less the precedent of an Act passed only four years ago—the Coal Mines Regulation Act—in which it is stated that the operative "shall apply for a copy"—that is to say, he does apply for a copy whether he likes it or not. That Act we have found to work very well during the last four years. In this clause it was thought it would be a hardship on the employer to compel him to give a copy *nolens volens* to everyone of some hundreds of operatives in his employ. The terms of the 78th section of the Act say that this notice of the Rules shall be affixed at the entrance of the factory or workshop, and in such parts thereof as the Inspector for the time being may direct, and shall be constantly so affixed. I think that is precaution enough. We have found it to act very well under the other Statute. I hope, therefore, the noble Lord will not press his objection.

LORD SANDHURST: I may point out to the noble Lord that we did not know quite so much four or five years ago about the hardships of poor workers as we know now. With regard to Clause 5, referring to piecework, it is made obligatory to provide the workpeople with certain Rules, and, considering that we know more about the hardships which they suffer now than we did formerly, and that poor workers may not dare to ask for them, I should certainly like to see this provision inserted. Therefore, I shall stick to my point, and ask your Lordships to support me.

LORD HERSCHELL: I cannot think the reason given by the noble Lord that this has been found to work sufficiently well with regard to coal mines is an adequate reason at all in this case, because the coal miners are well able to protect themselves, and are certainly quite well informed of the provisions of any Acts of Parliament which are made for their protection; but this Bill deals with people who have no such protection, and who are not able to protect themselves in the way in which the members of organised trades can do. They are, therefore, persons for whom Parliament must provide under such legislation as this, if the object is to be effected at all in the way in which it would be effected in well organised trades. I, therefore, shall heartily support the proposal of the noble Lord (Lord Sandhurst).

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

Clause 12 agreed to.

THE EARL OF ABERDEEN: My Lords, in the absence of my noble Friend Lord Leigh, who is detained in the country by County Council business, I rise to move the Amendment which stands in his name. I think it must

be admitted that the object of this Amendment is reasonable and expedient, and it is not uninteresting to bear in mind that according to a Home Office Return presented last year, the proportion of female workers in the mills and factories in the United Kingdom to mill workers is as follows: The total number of workers is 1,000,361, of whom more than half are females.

VISCOUNT CRANBROOK: Would the noble Lord be kind enough to let us know where the appointment of female Inspectors is prohibited? because it is not prohibited, so far as I can understand at all.

THE EARL OF ABERDEEN: I have not said it is prohibited. Perhaps the noble Viscount will allow me to quote these figures. The number of female workers is 656,549, much more, your Lordships see, than half the total number of workers in mills and factories. Of course, this implies no disparagement on the existing Inspectors, but I think there are many matters in which a woman Inspector could act with more efficiency and discrimination than a man, and I believe those who are experienced in these matters will testify that women workers have often great scruples in making complaints to male Inspectors of various sanitary matters. If the object is to make the sanitary inspection as thorough as possible, I think that in itself gives some ground of support to this Amendment. No doubt, as the noble Viscount says, there is no actual statutory prohibition against the appointment of female Inspectors; but my point is rather that this is not readily done, although there is plenty of precedent for it. For instance, under the Local Government Board there are women Inspectors, and there are lady Inspectors also under the School Board. It may be interesting to your Lordships also to hear that in the State of New York, since last July, no less than seven women Inspectors have been appointed, and still more recently two have been appointed in the adjoining State of Massachusetts. I have no doubt it may be said, and with truth, that there are many portions of the inspection of working places which a woman could not perform—for example, with regard to machinery. If even a woman were qualified to give an opinion with regard to the condition of the machinery, or to make an inspection of it, it might be dangerous to employ her in that part of the work, but that difficulty might be got over by appointing Sub-Inspectors of different departments. That, no doubt, would mean a matter of money; but I agree with what the Earl of Dunraven said just now, that if we are to make this measure a success, we should not be deterred from doing so by a suggestion of some increase in the expenditure of public funds. I doubt whether anything would be more readily voted than an increase of money for such a purpose as this. This matter has been discussed to some extent in the other House of Parliament, and certainly without much disfavour being expressed, as far as I can understand. I think the recognition of this principle in the Bill certainly would be desirable. I am aware that this is a matter which can be discussed in Standing Committee, but, as it involves a question of principle, I am very desirous that the sense of the House should be taken upon the point, and I sincerely hope that the noble Lord who is in charge of this Bill will not disapprove of this very moderate expenditure. I purposely put it in a permissible form to avoid any appearance of aggressiveness, and I do so upon the suggestion of my noble Friend Lord Leigh, in whose name the Amendment stands.

Moved to insert, after Clause 2, the following new Clause—

("The Secretary of State may, if he thinks fit, appoint female inspectors for the inspection of factories and workshops wherein any women, young persons, or children are employed.")—(The Viscount Gordon [*Earl of Aberdeen*].)

LORD DE RAMSEY: Why encumber the Bill with what is really quite unnecessary? That power now exists with the Secretary of State to appoint female Inspectors, and in the Interpretation Act of 1890, which was passed specially to clear up matters of this sort, words imputing the masculine gender, it was provided, should include females. Therefore, as the power exists, and as the male gender is supposed to include females, I think the noble Lord's Amendment is unnecessary.

THE EARL OF ABERDEEN: I hope the discussion will at least serve the purpose of drawing public attention to

the necessity of the Secretary of State utilising his powers. I do not, of course, propose to trouble the Committee by dividing it upon this Amendment; but, in due time, I hope the course suggested will be adopted.

Amendment (by leave of the Committee) withdrawn.

Clauses 13, 14, 15, and 16 agreed to.

Clause 17.

*LORD MONKSWELL: My Lords, I beg to move that this clause be applied also to domestic workshops and laundries. I do not see why it should not be just as much an offence against the law for women who have given birth to a child within four weeks to work in a laundry or a domestic workshop as in an ordinary workshop. It may not do much, but I hope it will do some good. I am told that laundry work is particularly trying to a woman under those circumstances, and I beg to move the Amendment which stands in my name.

Moved, in page 8, line 8, to leave out ("or,") and add, after ("workshop,") the words ("domestic workshop or laundry.") —(*The Lord Monkswell.*)

LORD DE RAMSEY: My Lords, as to the first part of the noble Lord's Amendment—that is, domestic workshops—domestic workshops are now included in Clause 17 of this Act as workshops. As to the laundries, Government Inspectors have nothing to do with the laundries. A laundry is a workplace outside this Bill, outside the factory and the workshop, except that it has been brought within Section 2 for a purpose which I will mention presently. As regards the proposal of the noble Lord, I think he might very well leave it to the special sanitary provisions which will be enforced by the Local Sanitary Authority in reference to laundries. I do not see that there is any great necessity for changing the form of the clause. Therefore, unless the noble Lord can give some good reason for its acceptance, I hope this Amendment will not be adopted. Of course, in this I have presumed that the noble Lord who moves the Amendment in no way wishes to raise the question of including laundries in this Bill.

The Earl of Aberdeen

*LORD MONKSWELL: That is a totally different question. The words I propose to put in have not that effect.

THE EARL OF KIMBERLEY: I confess I am a little puzzled upon this. I do not know that I understand the full effect of my noble Friend's Amendment; but I am still more completely puzzled by the noble Lord's explanation, because he says that laundries are not in the Bill, but almost the first thing in it is, he will find at line 13, that laundries are mentioned, and also in line 19.

LORD DE RAMSEY: I said so. I stated I would explain that presently. They are included to a certain extent; but I do not wish to raise the question by including laundries in the Bill here. That is with regard to sanitation.

*LORD MONKSWELL: But surely the question of sanitation does not touch my point, which is that women should not be employed in these places within a certain period after child-birth.

*THE EARL OF DUNRAVEN: I do not see why the laundries should escape the primæval curse of man; and if it is not right to deprive women of employment in laundries at such times, the provision ought not to be applied to other places. I think this regulation ought to be applied to laundries.

*THE MARQUESS OF RIPON: I hope laundries will be included in this Bill before we leave it. But that is quite another matter. Nobody will be committed upon that point by the course which may be taken on this Amendment, but I do not quite understand what the noble Lord means. He says that Factory Inspectors do not go into laundries, but Factory Inspectors cannot examine minutely into the women's circumstances even in factories, or find out whether they have brought forth children within four weeks. In fact, there is no direct means of enforcing the clause. It comes within what is called an ordinary misdemeanour. It will be a breach of an Act of Parliament. But I think, as the Government have thought it reasonable to put this clause into the Act, it should be extended to the laundries. This is not a sanitary question properly so called, though it is a question relating to the health of workwomen; and to say that you will not allow women to be employed in a factory or workshop within four

weeks of their confinement, but that you will allow them to be employed in a laundry, seems to me, I confess, to be somewhat illogical.

THE MARQUESS OF SALISBURY: Is the noble Lord prepared to furnish a definition of a laundry?

THE EARL OF KIMBERLEY: It is in the Bill already.

*THE MARQUESS OF RIPON: My explanation is furnished by the Act. I used the word in the sense in which it is used in Clause 1.

THE MARQUESS OF SALISBURY: It is not material there, but in this clause it is very material. I want to know whether you are prepared to prohibit women within that period after their confinement from washing their own clothes?

On Question, whether the word proposed to be left out shall stand part of the Clause:—Their Lordships divided:—Contents 82; Not-Contents 33.

Clauses 17 and 18 agreed to.

*THE EARL OF DUNRAVEN: My Lords, I have to move as an Amendment the insertion of a new clause, after Clause 18, which deals with the difficult subject as to the age at which persons may be employed. It is an exceedingly difficult subject, and I have no intention of troubling your Lordships with a long speech about it now. I will only state that my proposal to raise it to 12 years is a matter which I think of paramount importance, especially in a democratic country like this in regard to the mental and physical health of the people. I think it will be better that children should not be employed in workshops and factories until the age of 12 years, when their education is more nearly completed. On the other hand, there is to be considered, no doubt, the great hardship that would be inflicted upon parents by depriving them of the wages earned by their children as half-timers. Her Majesty's Government have thought fit to fix a lower limit. In the House of Commons the age was raised from 10 to 11 years, the change to 11 years to come into operation in 1893. What I propose now is in addition that the age for half-timers shall be raised to 12 years, to come into operation in 1895. I have put it at 12 years because, practically speaking, 12 years was the minimum age agreed upon at the Berlin Labour Conference at which children should be allowed to work in factories. I do not think we ought to be behind other European nations in that respect. At the same time, I recognise that if the age were raised from 10 to 12 at once, great hardship would be inflicted on parents; but in postponing the change until 1895, I do not think any hardship will follow which is sufficiently great to deprive the children of the benefit which they would derive if the age for their employment is limited to 12 instead of 11 years. I beg to move the insertion of this new clause—

Moved, after Clause 18, to insert the following new Clause—

("(1.) On and after the first day of January one thousand eight hundred and ninety-five no child under the age of twelve years shall be employed in a factory or workshop.

(2.) Provided always, that any child lawfully employed under the principal Act, or any Act relating to the employment of children, at the time that the provisions of this section come into operation shall be exempt from its provisions.")—(The Lord Kenry [*E. Dunraven and Mount-Earl*].)

LORD DE RAMSEY: My Lords, I do not propose to detain you on this matter, which I have no doubt has been thoroughly well considered, as it is a matter which has created very great interest. I wish to point out to the noble Lord a matter which I do not know that he has taken into consideration—that is, that if his proposal to raise the age to 12 were to come into operation, it would virtually put an end to the half-time system. It would leave only one year for it to operate in, namely, from 12 to 13. Most children can then obtain their full-time certificate, and work full time instead of having to wait till 14. I do not know whether the noble Lord has considered that matter, but certainly the number of children who are employed between 11 and 12 is greater than those who are employed from 10 to 11. I hope very much that the noble Earl will not press this Motion. The history of the Government fixing the age of 11 is well known to the noble Earl, and I am confident from everything one hears that the age of 11 will give great satisfaction. I hope, therefore,

the noble Earl will not press his Amendment.

Amendment (by leave of the Committee) withdrawn.

Clauses 19 and 20 agreed to.

Clause 21.

*The Earl of DUNRAVEN: My Lords, I move to omit Clause 21, and to insert a new clause, which is practically a definition of a domestic workshop. I have thought this the most convenient place in which to insert this new clause, because Clause 4 deals with Section 61 of the principal Act, which recites the definition of what is a domestic workshop. Practically, what I wish to do is to define what a domestic workshop is, and then to go on to recite the rules and regulations which in that case are to obtain. What I object to in the definition of domestic workshop in the principal Act is that it is too vague and too large. Practically, a domestic workshop, to put it shortly, is a place where any number of people, members of the same family, work and dwell. We had any amount of evidence before the Committee of your Lordships' House on the Sweating System as to the way in which this law is evaded. We were told by any number of witnesses that work was constantly taken home after the factory and workshop was closed, and done at home by women and girls, and that strangers were brought in to help them who were called members of the same family. It is obviously impossible for any Inspector or anybody else to know whether those persons are members of the same family or not. My principal object all through has been to deprive these small workshops of any special advantages over the larger workshops and factories. Your Lordships will understand at once that where there is such keen competition among small manufacturers, and among small masters especially, they naturally endeavour to cut down the cost of production as much as possible; and it is obvious that the cost of production is lessened if no great expense is incurred in keeping the places where the process is carried on in a condition which should be in accordance with the Acts of Parliament—that is to say, these persons can manufacture an article cheaper in such sweating dens than they can manufacture it in a properly-ventilated and properly-conducted workshop or factory; and, therefore, the tendency is for work to go into these small places and to forsake the legally and properly-conducted workshops. I want to put a stop to that as far as possible. At the same time, I fully recognise that it would be most iniquitous to interfere with family work and with domestic workshops, and I do not propose to do so in any way whatever. What I propose to meet that is to provide that a domestic workshop should be a place where three persons, members of the same family, dwell and work. I propose, also, that where more than three, but not more than six, members of the same family work and live, they shall be able to obtain a certificate from the nearest Magistrate, saying that the place is a domestic workshop. I object very much to small provisions of that kind being inserted in a Bill; but, at the same time, I do not think any great hardship can arise in London or in any of our great towns where families exist, consisting of three and not exceeding six, by their having to go to the nearest Magistrate and explain what the place is, and having to get a certificate that it is a domestic workshop. In that case, when the Inspector visits them, they have nothing to do but show the certificate, and the Inspector sees at a glance whether or not there are more people working there than ought to be in the place; and he can tell at once whether the law is being broken or not. I do not see how it is possible that in that case home work would be interfered with in any way whatever, and I think if your Lordship's would agree to this clause you would, to a great extent, put a stop to one of the most prominent evils which came out before the Committee on the Sweating System, and you would put a stop to the temptation of sending work out to these small places instead of having it done in properly regulated workshops and factories.

Moved, to leave out Clause 21, and insert the following new Clauses:—

(Home Work.)

"Section 16 of the Principal Act is hereby repealed, and it is enacted in lieu thereof as follows:—

The expression 'domestic workshop' means a workshop to which this section applies.

(a.) Where not more than three persons are employed at home, that is to say, in a private house, room, or place which, though used as a dwelling, is by reason of the work carried on there a factory or workshop within the meaning of the principal Act, and in which neither steam, water, nor other mechanical power is used in aid of the manufacturing process carried on there, and in which the only persons employed are members of the same family dwelling there; or

(b.) Where more than three and not more than five persons are so employed, and the occupier of the private house, room, or place has shown to the satisfaction of a court of summary jurisdict that the persons so employed are Members of the same family dwelling there, and has obtained from the court a certificate in the prescribed form setting forth the number of persons so employed, and the relationship between them, which the court, if satisfied that the persons employed therein are members of the same family dwelling there, is hereby authorised to grant, the regulations of the principal Act as amended by this Act with respect to the employment of children, young persons, and women, shall not apply to that factory or workshop, and in lieu thereof the following regulations shall be observed therein:—

(1.) A child or young person shall not be employed in the factory or workshop except during the period of employment hereinafter mentioned; and

(2.) The period of employment for a young person shall, except on Saturday, begin at six o'clock in the morning and end at nine o'clock in the evening, and shall on Saturday begin at six o'clock in the morning and end at four o'clock in the afternoon; and

(3.) There shall be allowed to every young person for meals and absence from work during the period of employment not less, except on Saturday, than four hours and a half, and on Saturdays than two hours and a half; and

(4.) The period of employment for a child on every day either shall begin at six o'clock in the morning and end at one o'clock in the afternoon, or shall begin at one o'clock in the afternoon and end at eight o'clock in the evening, or on Saturday at four o'clock in the afternoon; and for the purpose of the provisions of this Act respecting education such child shall be deemed, according to circumstances, to be employed in a morning or afternoon set; and

(5.) A child shall not be employed before the hour of one in the afternoon in two successive periods of seven days, and a child shall not be employed on Saturday in any week before the hour of one in the afternoon, if on any other day of the same week he has been employed before that hour nor after that hour if on any other day of the same week he has been employed after that hour; and

(6.) A child shall not be employed continuously for more than five hours without an interval of at least half a hour for a meal.

Section sixty-one of the principal Act is hereby repealed, and it is enacted in lieu thereof as follows:—

(1.) The provisions of the principal Act as amended by this Act relating to factories and workshops with regard to:—

(1.) The cleanliness (including lime washing, painting, varnishing, and washing) or to the freedom from effluvia, or to the overcrowding or ventilation of a factory or workshop; or to

(2.) All children, young persons, and women employed in a factory or workshop having the times allowed for meals at the same hour of the day, or during any part of the time allowed for meals in a factory or workshop, being employed in the factory or workshop; or being allowed to remain in any room; or to

(3.) The affixing of any notice or abstract in a factory or workshop, or specifying any matter in the notice so affixed; or to

(4.) The allowance of any holidays to a child, young person, or woman; or to

(5.) The sending of notice of accidents; or to

(6.) The giving of notice to an inspector of the occupation of a factory or workshop;

shall not apply where persons are employed in a domestic workshop.

(2.) Nothing in this section shall exempt a bakehouse from the provisions of the principal Act with respect to cleanliness (including lime washing, painting, varnishing, and washing) or to freedom from effluvia.

Section ninety-eight of the principal Act, which provides for the exemption of certain home work, is hereby repealed."—(The Lord Kenry [*Earl of Dunraven and Mount-Earl*].)

LORD DE RAMSEY: My Lords, it will be seen on comparing the two sets of provisions which the noble Earl has moved with Section 16 of the principal Act they are exactly in agreement as far as concerns the regulation of matters which are made applicable to domestic workshops. So far as concerns the general condition of a domestic workshop, they are in agreement. Well, then, the noble Earl and I are agreed as far as that goes—I mean that the workers should be members of the same family,

and be dwelling together, and that no strangers should be employed. The only difference is that whereas in the Act of 1878 there is only one class of domestic workshops, the noble Earl would propose to constitute two classes. He proposes, first, that where there are not more than three workers, that shall be one description; and, secondly, that where there are more than three but not more than five, they shall constitute another class. But then, if we are agreed upon the first provision, it comes to this, that we are only in disagreement on the second; that is to say, in the matter of two persons, the difference between three and five, and I would ask whether it is advisable to make such a very stringent provision as the noble Earl moves in this case, for the sake of excluding two strangers. I can hardly think it is advisable, and I hope your Lordships will not assent to the proposal.

*THE EARL OF DUNRAVEN: Let me explain. There is no limit whatever in the Act: the family may consist of 5, 10, 50, or 1,000 people. There is no definition of what constitutes a family. I say where there are more than three members of the same family and not more than five they must prove it before a Magistrate, and get a certificate that the place is a domestic workshop. The difference is enormous, because, according to the Act, there is no limit whatever, and what actually happens is this: girls and women having worked during their legitimate hours in the factory or workshop, are compelled to take work home and get other people to help them to finish it, contrary to the Act. Unless you give a definition limiting the numbers of the family who may work in their domestic workshop, it is impossible to put a stop to the evils of the sweating system.

Amendments negatived.

Clauses 21 to 24 agreed to.

Clause 25.

*THE EARL OF DERBY: I have a proviso to insert at the end of this Clause 25. I have slightly altered the wording from the printed copy, in order to make it read more smoothly, but the change is only verbal. It is obvious that this proviso does not at all interfere with the object or the working of the Bill. It is simply a precaution to which the Lancashire manufacturers and employers attach a good deal of importance, a precaution against a possible abuse. The object is to prevent an operative who has obtained particulars of a process for a certain purpose—namely, in order to ascertain what wages he has a right to—using them for an entirely different purpose to the detriment of his employers. There are a great many processes in the manufactures of the North in regard to which trade secrets are maintained, and there is undoubtedly considerable apprehension that they might be endangered by the provisions of this Bill without such a proviso as is contained in the Amendment I have placed on the Paper.

Moved, in Clause 25, page 10, line 7, after (" pound "), to insert—

(" Provided always, and it is hereby enacted, that, in the event of anyone who is engaged as an operative in any factory or workshop receiving such particulars, and subsequently disclosing the same with a fraudulent object, or for the purpose of gain, and whether they be furnished to himdirectly or to a fellow employé he shall be liable for each offence to a fine not exceeding ten pounds.")—(*The Earl of Derby.*)

LORD DE RAMSEY: I think this is a most useful Amendment, and I hope your Lordships will accept it.

VISCOUNT CRANBROOK: I would merely point out that the words (" it is hereby enacted ") are quite unnecessary. They are left out all through the clauses.

THE EARL OF DERBY: I took it from the Paper. I have no objection to leave out those words.

Amendment agreed to.

Clauses 25 and 26 agreed to.

Clause 27.

*THE EARL OF DUNRAVEN: My Lords, at line 20 I wish to insert a new sub-section. This clause deals with registration of new workshops, but, by an oversight, I suppose, it does not provide for any registration of existing workshops. I do not imagine that it is the intention of Her Majesty's Government that of all new workshops notice should be given to Inspectors and so on, but that all workshops already existing, of which no notice has been given and which are unknown, should remain unknown.

Moved, in line 20, to insert as a new Sub-section—

("(3.) In the case of workshops occupied at the time of the coming into operation of this Act, notice shall be served within one month after this Act comes into operation.")—(The Lord Kenry [*Earl Dunraven and Mount-Earl*].)

LORD DE RAMSEY: The noble Earl proposes that not only the occupier of a new workshop should send notice, but that also those persons who are already in possession of workshops should do the same. This sounds very logical, but it is not very practicable. The effect would be that at once from 100,000 to 300,000 notices would be sent in, and the clerical labour involved would be tremendous. The truth is, that it is almost impossible to keep up a register of workshops as a railway does of its shareholders. In fact, I do not think myself there is any great occasion for doing so. It will be difficult enough to get the owners of new workshops to send in notices, and for the same reason of avoiding such an immense amount of labour the Bill does not propose to insist on the occupier of an existing workshop sending in notice if work in that workshop is discontinued. I hope, therefore, having regard to the immense amount of labour which this would cause, your Lordships will not assent to the proposed Amendment.

*THE EARL OF DUNRAVEN: I can quite understand that it would be very difficult to get occupiers of small new workshops to send in notices if the owners of existing workshops do not. They would naturally not want to be known; and it appears to me advisable that the Inspectors should know where they are situated, and should be able to visit them. It is equally necessary they should know where they are, and that there should be no advantage of that kind given to one class.

Amendment disagreed to.

*THE EARL OF DUNRAVEN: My Lords, the next Amendment is for the insertion of a new clause which is intended to remedy another evil which was very much complained of before the Sweating Committee. In many cases it was shown that foreigners are employed who do not understand English, and what I wish to add is that in factories or workshops where foreigners are employed notices should also be affixed in such foreign languages as the Inspector for the time being directs. That is to say, the notices shall be put up in the language which is understood by the people employed in the workshop.

Moved, to insert the following new Clause:—

("In section seventy-eight of the principal Act, after the word 'directs' shall be added the words 'and in a factory or workshop where foreigners are employed also in such foreign languages as an inspector for the time being directs.'")—(The Lord Kenry [*E. Dunraven and Mount-Earl*].)

LORD DE RAMSEY: But how can that be done, when to-day there may be a German, to-morrow a Pole, and the day following a Russian employed in the workshop? The noble Earl's wish is that the operatives should be able to read and understand the notices. That would mean that you would require to have these rules put into every language that there is. I do not think it is at all practicable, and I hope your Lordships will not agree to it.

THE EARL OF KIMBERLEY: My Lords, I think this is really a very reasonable suggestion. It is only to be where the Inspector directs it, and he will not direct it unless a considerable number of foreigners are employed in the place. Supposing a considerable number of Germans are employed, it seems to me very desirable that such a power should exist. I think there is not much fear that it will be absolutely abused. They may be trusted not to do it unreasonably, and, considering the great pressure which may be exercised on foreigners who do not understand the English language, I think the insertion of this Amendment is very desirable, and I shall certainly support it.

*THE EARL OF DUNRAVEN: I shall have to omit the first portion, because your Lordships have not agreed to define "overcrowding" in any way. Therefore I should move, first, down to the word "sub-section."

LORD HERSCHELL: I suggest putting in the word "languages" in the singular. It will, of course, include the plural, but it looks here as if it was intended to mean the plural.

On Question, their Lordships divided:—Contents 37; Not-Contents 66.

Clause 27 agreed to.

*THE EARL OF DUNRAVEN: My Lords, I move to add a clause to limit the work of the women employed in the nail and chain trade. Your Lordships will remember there was a good deal of evidence given before your Lordships' Committee on Sweating about the injurious physical effects produced on women, young persons, and girls by the exertion required in cutting large sizes of cold iron by means of a machine called an "oliver." What I propose to do is to limit it to a certain size, and to prevent females from cutting or working by means of a machine called an "oliver," or otherwise bars of iron exceeding a quarter of an inch in thickness. I admit that it is exceedingly difficult to know exactly what size to fix; but from the best information I can obtain from people on the spot, I think that a quarter of an inch would be a proper size, and I beg to move the insertion of this Amendment.

Moved, after Clause 27, to insert the following Sub-section:—

"(1) It shall not be lawful for any female to cut or work, or to assist in cutting or working, whether by means of the machine called the "Oliver" or otherwise, bars or rods of iron which exceed one quarter of an inch in thickness, whether for the purpose of making nails, nuts, rivets, or chains, or for any other purpose.

"(2) In the event of a contravention of this section in a factory or workshop, the occupier of the factory or workshop shall be liable to a penalty not exceeding five pounds and not less than forty shillings."—(*The Lord Kenry* [*E. Dunraven and Mount-Earl*].)

EARL WEMYSS: My Lords, I hope the Government are going to resist this Amendment with reference to the women working in the chain and nail trade. I have been asked to resist it on behalf of the Women's Employment Society, 22, Berners Street. I have here a communication from that Society from which I will trouble your Lordships with one or two extracts. They say that to restrict them to working only the smaller and worst-paid class of chains and nails would have the effect of confining them to work which men would not care to do themselves; and they go on to say that if a young girl were not allowed to work until 16 she would not be properly qualified for the work; that they have been working in this way for 200 years; that women and men have been employed in it; that they have worked at it side by side, and that there is no other industry suggested for the 3,000 women who are thus employed in doing this work. And then, my Lords, the whole secret comes out at the end. They say that much that is untrue or exaggerated has been said about the evil effects, moral and physical, of this occupation, especially in the evidence given before the Sweating Committee; but most of the witnesses are supposed to have been brought forward by the leaders of the Trades Unions, and that when people went down to the Black Country to see for themselves the conditions of this work they were only permitted to see the worst of it. In the interest of these 3,000 women they beg that your Lordships will resist this Amendment of the noble Lord's, which would have the effect, practically, of throwing them out of work and giving up the work to men working under the Trades Unions.

*THE EARL OF DUNRAVEN: There is nothing in my Amendment with regard to prohibiting women from working at all. The noble Earl on the Cross Benches has alluded to something that is not in my Motion. I understood him to say that females under 16 were not to be allowed by this Amendment to work at all. Is not that so?

EARL WEMYSS: That is the secondary part of it. The main effect of your Amendment is that it will strike out of work 3,000 women and give it to the members of the Trades Unions.

*THE EARL OF DUNRAVEN: There is nothing of that kind in my Amendment. The noble Lord assumes that I wish to prohibit females under 16 from working at all. I do not propose anything of the kind. I only wish to prohibit their working at cutting iron over a certain size. With your Lordships' permission, I would read you what one witness stated in evidence—Mr. Ker, the certifying surgeon of the Halesowen district. He says—

"I have no hesitation in saying that using the oliver is injurious to women, and that they ought not to use it. The lighter weight of oliver used for the smaller nails would be less injurious, but even this is injurious, especially to married women."

Then Mr. Bassano, a magistrate of Worcester and Stafford, formerly chairman of the Highway Local Board, used similar language. He said: "I say unhesitatingly no woman, married or single, ought ever to work with the oliver. The small oliver is perhaps less injurious." I only read that, and I pause there because I do not wish your Lordships to be deluded by the idea that the evidence was brought up, as the noble Lord has stated, by trade unions or associations interested in preventing women competing with men at this work. I have given your Lordships the evidence of a magistrate and a certifying surgeon in the district, to the effect that the heavy oliver is most injurious to all women, and I appeal to your Lordships whether you will not protect them from that physical injury.

LORD DE RAMSEY: The noble Lord has read evidence about the use of the oliver by women, but I am not prepared to admit altogether that the evidence is conclusive as to the oliver being such an instrument as that your Lordships ought to forbid its use absolutely up to a certain weight. It is worked by a treadle in some cases, I am informed, and it is very difficult for Parliament to make rules and restrictions in carrying on trades as regards the weight of an oliver, the size of the nails and chains, and so on. Those are all matters which are very difficult for this House to deal with. This is a very depressed trade. The women have to work long hours, and they work in some cases for small wages. This is well known. I pass by the subject of the trades unions, but there is no doubt that in the trade there is a considerable amount of jealousy felt against these women. Whether that influenced the evidence that was taken or not, as has been put forward, I will not say now; but there is no doubt about it, there was a large amount of jealousy shown against these women. The whole subject was carefully looked into by the Royal Commission of 1886, and they recommended that Parliament should not interfere, but that women should be left to their own good sense; that interference would be resented by the workers themselves; and they made recommendations evidently not approving of the interference of Parliament in these matters. The Sweating Committee, also, whilst recommending restrictions, did not undertake to say what those restrictions should be, and by Clause 8 of this Bill the Secretary of State will have power to make special rules in cases such as that we are now discussing. Surely this would be far better and more applicable to certain special cases than if we were to draw a hard and fast line absolutely forbidding it.

Amendment (by leave of the Committee) withdrawn.

Clause 28.

LORD SANDHURST: My Lords, I have an Amendment to move in this clause, and I will read the clause as it would stand if amended—

"The occupier of every factory or workshop (including any workshop conducted under the system of not employing any child, young person, or woman therein) who has work done for the purpose of his factory or workshop elsewhere than in such factory or workshop, shall keep a record, and that the same shall be kept so as to be a substantially correct record of the description and quantity of the work done outside of such factory or workshop, and of the names and addresses of the person or persons by whom the same is done, and in default thereof shall be liable to a penalty not exceeding 40*s*. Such record shall be kept for the information of the inspectors, who alone shall be entitled to inspect the same, and who may at all reasonable hours examine the same."

With your Lordships' permission, I will just read the clause as it stands at present—

"The occupier of every factory or workshop (including any workshop conducted on the system of not employing any child, young person, or woman therein) shall, if so required by the Secretary of State by an Order made in accordance with section sixty-five of the principal Act, and subject to any exceptions mentioned in the Order, keep in the prescribed form and with the prescribed particulars lists showing the names of all persons directly employed by him in the business of the factory or workshop outside the factory or workshop and the places where they are employed, and every such list shall be open to inspection by any Inspector under the principal Act or by any officer of a Sanitary Authority."

Now, my Lords, I beg to ask whether it is rightly understood what bearing the word "directly" has. In many of the cases that came before the Sweating Committee, an occupier of the factory, besides the work done in his factory, sent out a large quantity of his work to be done outside. In many cases he

employed an agent, who goes by the name of sweater. He keeps the address of the sweater directly employed by him, but the sweater or middleman, not being the occupier of any factory, is not obliged to keep the names and addresses of any person so employed by him. He keeps no record which can be inspected by the inspector under the principal Act, and, therefore, he is at liberty to sweat as much as ever he did, and to his heart's content. Then, what is the case of an employer, who deals directly with the workers, and does not employ any middleman at all? He is obliged to keep the names and addresses of the persons so employed, so that the lists shall be open to the inspection of the inspector. I remember very well one witness who came before us—I think he was a boot-maker—who was asked whether he had any idea of the people and places where the work was done for him, and on which he got a profit. He replied, "No, that is no business of mine, as long as the work is done up to sample and up to time. That is all that is required." I submit that the clause as it now stands, with the word "directly" in it, is distinctly a protection to the sweater, and that instead of defeating the sweaters we shall really, by passing the clause as it stands, be promoting the sweating which we are now attempting to defeat. I might mention that this clause comes from a Victorian Act of Parliament, which we were told before the Sweating Committee worked very well indeed. I hope the Government will agree to my Amendment, because I think it is a most important and necessary part of the matter, as the Bill stands, as regards sweating.

Amendment moved, in Clause 28, page 10, line 23, to leave out from ("therein") to end of Clause, and insert—

"Who has work done for the purposes of his factory or workshop elsewhere than in such factory or workshop, shall keep a record, and the same shall be kept so as to be a substantially correct record of the description and quantity of the work done outside of such factory or workshop, and of the names and addresses of the person or persons by whom the same is done, and in default thereof shall be liable to a penalty not exceeding forty shillings. Such record shall be kept for the information of the inspectors, who alone shall be entitled to inspect the same, and who may at all reasonable hours examine the same."—(*The Lord Sandhurst.*)

Lord Sandhurst

LORD DE RAMSEY: This Amendment takes in a very large subject. It takes in this question: Can any legislation enable us to bring the middleman into a Factory and Workshop Bill? An owner of a workshop puts out his work to a middleman, that middleman sends away the work, not necessarily getting it done in the same place, for instance, in London; but he may send it to Scotland or Ireland, or anywhere else. Now, how can the middleman be responsible for all the workers in those distant places where the work is being done? The work is sent, of course, from factories and workshops to factories and workshops. The middleman may be an occupier of a factory or workshop, or he may not. Of course, if he is the occupier of a factory or workshop he would immediately come under this Bill; but, my Lords, to show you what a very large question it is, take, for instance, work going from shopkeepers, or contractors, or merchants, or middlemen. There are middlmen of every description. I quite sympathise with the noble Lord's idea that the middleman is very largely the cause, in many places, of sweating. I will go so far as this, and I will admit that it may be a blot on this Bill, that we have not been able to insert provisions which will bring that middleman into the net of a Workshop and Factory Bill; but I will submit to your Lordships that the noble Lord has made out no case for extending this Bill, which is essentially a Factories and Workshops Bill, to take in such enormous areas and such distant places as those in which the middleman's work may be done, by requiring that middleman to get returns for which he can positively vouch. I therefore, while strongly sympathising with a great deal that the noble Lord is saying, trust that on this occasion you will not adopt his Amendment; but I may go as far as this, and say, that if the wit of man can invent any process by which the middleman can be brought into future legislation, we shall not be wanting in proposing that legislation, and in trying to get Parliament to accept it.

LORD THRING: If this is one of the clauses which deal with the question of sweating, I should like to say a few words upon it. It seems to me the case is

this: the difficulty is for the inspector to find out where the sweating dens are. That is the real truth of the matter. If the factory inspector, or the sanitary inspector, or anybody having jurisdiction, can find them out, he can then proceed, and he is enabled to enforce the law. It was found, in the course of the investigation before the Sweating Committee, that one of the colonies of Australia—Victoria, I believe—had put into one of its Acts of Parliament a clause exactly like the clause that was recommended in the Committee without the word "directly" in it, and it was found the clause practically worked. I do not mean to say, or pretend to say, for a moment that it would abolish either the middleman or sweating; but it will do this, it will give a clue to the inspector, in many cases, by which he may find out where the worst sweating dens are situated. Therefore the clause can harm nobody; it may do a great deal of good, and it will tend very largely indeed, as it has tended to do in Australia, to stop sweating. That it would stop sweating altogether, none of us imagined. But when evidence was before us that it was found very effective in Australia, we recommended this provision. But I think your Lordships had very much better strike out the word "directly."

LORD HERSCHELL: I do not understand the use of putting in this word "directly." It is not the persons employed by others whom the man employs, but the persons who are employed by himself. Now, what limitation is intended by the word "directly," I am puzzled rather to discover. It seems to mean something less than the persons employed by him in the factory. Why he should not be compelled to give the names of all those persons, by putting in the word "directly," I do not know. It points to the suggestion that there may be persons employed by him whose names it is not necessary for him to give. I do not know whether it is intended by those words not to include persons to whom he gives out some of his work. Would that person be a person employed by him directly in the business of the factory? It strikes me as impossible to compel a person who has a factory or workshop to give the names of all persons whom his sub-contractors may employ, because he would not have the means of getting at them; but I do not see why he should not be required to give the names of all sub-contractors who may be employed by him, which, of course, would put the sanitary inspector on the track. But I do not feel so sure that the persons employed to do work so given out are "directly" employed by him. I am not at all sure that that is the meaning of it, or that that would be the construction put upon it.

THE LORD CHANCELLOR: The word "directly" is put in for the purpose which the noble Lord has pointed out, of getting at the sub-contractor. If the sub-contractor gives out the work himself, then he is within the clause; and the obvious meaning of the word "directly" is to get rid, by the use of those express terms, of the necessity of dealing with the sub-contractor.

LORD HERSCHELL: Still I would point out that these people are not employed by the principal contractor at all, in ordinary language. The expression is "Employed by him in the business of the factory for that purpose." I really do not think the word "directly" is necessary.

THE LORD CHANCELLOR: Exactly; it is "in the business of the factory." That is the point.

*THE EARL OF DUNRAVEN: I do not think the difficulty will be so great as the noble and learned Lord, and the noble Lord anticipates. I, of course, admit that there is considerable difficulty in tracing the goods manufactured beyond the first sub-contractor who takes the work out. But your Lordships will remember that on the Sweating Committee, manufacturers and others who gave their work out, admitted over and over again that they know exactly by whom the work was done, that it always went to the same place, and so on; and if that is so there can be no difficulty in getting the desired information. If they were unable to trace it, then the information could not be given. That is all; but if it is possible to do it, it should be given. At any rate, as the clause stands now, it would have very little effect. It appears to have some effect, but it would really have very, very little, and I think if the clause is amended, as the noble Lord opposite (Lord

Sandhurst) proposes, the effect would be very good and far-reaching, and I hope Her Majesty's Government will agree to the Amendment.

LORD HERSCHELL: I will not move the words now, but I should like to propose to add an Amendment something to this effect:—"That any person with whom the occupier of a factory or workshops has contracted to do any work connected with the business of the factory or workshop shall be deemed to be a person employed by him within the meaning of the section." My doubt is whether it might not be held that the sub-contractor was not a person employed.

*THE EARL OF DUNRAVEN: Your Lordships will remember that in most cases, from the evidence before the Committee, where the work is put out to anybody worthy of the name of a sub-contractor, that sub-contractor would be himself the owner of a workshop, and would be subject to the rules and regulations which are applicable to him accordingly.

LORD SANDHURST: I beg to withdraw the Amendment, but I wish to say that I shall bring up another upon Report.

LORD DE RAMSEY: I would point out to the noble Lord (Lord Herschell) that the man he wishes to include is already included.

LORD HERSCHELL: My doubt is whether that would be so held—whether the construction would be that it is carried into effect by this clause.

Amendment (by leave of the Committee) withdrawn.

Clause 28 agreed to.

Clause 29.

*THE EARL OF DUNRAVEN: This Amendment, my Lords, deals with the minimum penalties specified for breaches. It, in fact, specifies the penalties applying all through the Bill. Before the Sweating Committee we had evidence of much importance given by the Chief Inspector of Factories, and other Inspectors, to the effect that it was useless in many cases to obtain conviction for offences against the Acts, because merely nominal fines were imposed. Mr. Redgrave, the Chief Inspector, says, "One great defect in the Factory Act has been in regard to the infliction of minimum penalties." Mr. Oram, a superintending Inspector, says, speaking of over work—

"In some cases they may work to half-past ten, eleven, or twelve o'clock at night, and only a fine of sixpence will be inflicted."

Mr. Lakeman spoke to the same effect. Now, if in many cases merely nominal fines are inflicted, it is clear it is useless for the inspectors to take proceedings, and they are naturally very much discouraged in the performance of their duty. I do not mean to insist on the specific sums I have laid down, but I should greatly like to see some real minimum penalty fixed which would be inflicted in all cases.

Moved, to leave out Clause 29, and insert:—

"Clause A.—(1.) It shall be the duty of every occupier of a factory or workshop (including any workshop conducted on the system of not employing any child, young person, or woman therein) for whom work is done for the purposes of his factory or workshop elsewhere than in the factory or workshop to keep a register, which shall be in the prescribed form, and shall be kept so as to be a substantially correct record of the description and quantity of the work done outside the factory or workshop, and of the name and address of the persons by whom the work is done, and in default thereof the occupier of the factory or workshop shall be liable to a fine not exceeding ten pounds nor less than forty shillings.

"(2.) The register shall be kept for the information of the inspectors, who may at all reesonable hours examine the same, but no person other than an inspector shall be entitled to inspect such register.

"(3.) Any inspector divulging the contents of a register kept in pursuance of this section, except for official purposes, and any inspector or official of any public department making use of his knowledge of the contents thereof, except for the purpose of enforcing the law, shall be guilty of a misdemeanour.

"*Penalties.*

"Clause B.—(1.) In sections twenty-two and thirty-one of the principal Act the words 'not exceeding five pounds' in the said sections respectively are hereby repealed, and there shall be substituted therefor the words 'not exceeding ten pounds nor less than twenty shillings' in the said sections respectively.

"(2.) In section thirty-five of the principal Act the words 'twenty shillings and for every subsequent offence five pounds' are hereby repealed, and there shall be substituted therefor the words 'not exceeding five pounds nor less than twenty shillings, and for every subsequent offence to a fine not exceeding twenty pounds nor less than five pounds."

"(3.) In section sixty-eight of the principal Act, after the words 'five pounds' shall be added the words 'nor less than twenty shillings,' and after the word 'five' shall be added the words 'pounds nor less than twenty shillings,' and after the words 'twenty pounds' shall be added the words 'not less than five pounds.'

"(4.) In section seventy-seven of the principal Act, after the words 'not exceeding forty shillings' shall be added the words 'nor less than five shillings.'

"(5.) In section seventy-eight of the principal Act the words 'not exceeding forty shillings' are hereby repealed, and there shall be substituted therefor the words 'not exceeding five pounds nor less than forty shillings.'

"(6.) In section eighty-one of the principal Act, after the words 'not exceeding ten pounds' shall be added the words 'nor less than ten shillings,' and in the same section the words 'not exceeding one pound' are hereby repealed, and there shall be substituted therefor the words 'not exceeding five pounds nor less than ten shillings.'

"(7.) In section eighty-two of the principal Act, after the words 'one hundred pounds' shall be added the words 'nor less than ten pounds.'

"(8.) In section eighty-three of the principal Act, after the words 'not exceeding three' shall be added the words 'pounds nor less than ten shillings,' and in the same section after the word 'night,' where that word first occurs, shall be added the words 'not exceeding,' and after the words 'five pounds' shall be added the words 'nor less than forty shillings,' and such part of the section as relates to section sixteen of the Factory and Workshop Act, 1878, is hereby repealed.

"(9.) In subsection one of section eighty-four of the principal Act, after the words 'twenty shillings' shall be added the words 'nor less than two shillings,' and in subsection two of the same section, after the words 'not exceeding twenty shillings' shall be added the words 'nor less than two shillings.'

"(10.) In section eighty-five of the principal Act, after the words 'not exceeding twenty pounds,' where they respectively occur, shall be added the words 'nor less than five pounds.'"—(*The Lord Kenry, E. Dunraven and Mount-Earl.*)

LORD DE RAMSEY: This clause with regard to minimum penalties was suggested after a good deal of consideration in another place, and it was thought, considering that the Summary Jurisdiction Act of 1879 put an end once for all to minimum penalties for first offences, that this was a good solution of the difficulty if there was one possible. The noble Lord goes into a great many penalties, and makes it a very long business, but this appears to us be sufficient, and I hope your Lordships will accept it.

Amendment (by leave of the Committee) withdrawn.

Clause 29 agreed to.

Clause 30.

*THE EARL OF DUNRAVEN: After Clause 30 I propose to insert a new clause, in fact applying the provision of the Bill to laundries. The Bill already applies to laundries as far as sanitation is concerned, and I cannot for the life of me understand why the provisions as regards hours of work, meal times, and so on, as applied to workshops and factories, should not be applicable to laundries also. It is a very large industry; there are something like 100,000 laundresses in London alone; it is an industry which is carried on by women, young persons, and female children, and it seems to me entirely illogical and utterly indefensible, without some extraordinarily and overpoweringly strong reason, to deprive all these women and young persons of the safeguards which may be thought necessary in the case of women and young persons who are employed in all other industries. It is not as if the laundry business was in itself an especially healthy one. I do not think that can be claimed to be the case at all. To a very large extent, especially in small laundries, they are in a very insanitary and very bad condition, but that no doubt the Bill would do much to remedy. But the hours that the women work are excessively long. I am told by the secretary of the Kensal Green Laundry Association, and by the secretary of the Laundry Women's Union, that the ordinary hours of work during the week vary from seven in the morning till twelve at night, or one o'clock on the next morning, the shortest day's work being on Monday, from one in the afternoon to ten at night, and the longest on Friday, from seven in the morning to midnight, or one o'clock on Saturday morning. From other sources I hear that the work is generally done in 4 days, and that the women work 15, 16, 17, or 18 hours a day. Now, why on earth those long hours should be permitted in this industry, and not in others, I cannot for the life of me understand. Neither can I understand why no precaution should be insisted upon for fencing of machinery in these laundries, when protection is afforded in other places; the machining is done by girls from 10 to 14 years of age, and no

precaution is taken whatever to prevent accidents. I need scarcely say that in the trade, among the laundresses themselves, they are almost universally in favour of being brought within the Act. A canvass was taken of them not long ago in London. I will not trouble your Lordships by reading all the statistics; it would take too long; I will only mention the principal figures. In the eastern district of London 13,305 were canvassed, and of those only 67 were opposed to being brought under the Act, while 301 were neutral; in the north-western and northern districts 14,670 were canvassed, and 14,211 were in favour of being brought within the Act, 140 were opposed to it, and 319 were neutral; in the western district there were 10,737 canvassed, and 10,521 were in favour, 37 were opposed, and 179 were neutral; in the south-west, 11,151 were canvassed, 11,103 were in favour, 28 were opposed, and 20 were neutral; in the southern, 8,147 were canvassed, 7,856 were in favour, 115 opposed, and 176 neutral; and in the south-east district, 9,496 were canvassed, of whom 9,311 were in favour, 52 were opposed, and 133 were neutral. Altogether 67,506 laundresses were canvassed on this occasion; and of that number, 65,939 were in favour of the laundries and their businesses being brought within the provisions of the Factory and Workshop Acts, 439 were opposed, and 1128 did not care one way or the other—they were neutral. Now, this shows almost practical unanimity on the part of the persons employed in this business. It would also be a great mistake to suppose that the employers were universally opposed to it; on the contrary, though I have had a great many letters from employers, who were opposed to laundresses and laundries being brought under the operation of the Bill; on the other hand, many of the employers were exceedingly desirous that they should be brought under the Bill. I have received a letter from Mr. John Mason, President of the South-West District Laundry Association, an association containing 50 large and small proprietors and managers of laundries, employing up to 200 persons, stating that they had passed a resolution in favour of it. I have received many other letters of the same kind; but I do not wish to weary the House, and I will not read them. I may, however, say that resolutions in favour of extending the provisions of the Act to laundries have been passed by the Trade Councils in the Metropolis and in most of the northern towns—in London, Liverpool, Glasgow, Edinburgh, Aberdeen, Govan, Halifax, Huddersfield, Ipswich, Leeds, Sunderland, Oxford, Middlesbrough, and Leicester—and by the National Laundry Association, who also desire it. I really think it is scarcely necessary to adduce reasons why the provisions of the Factory and Workshop Act should be applied in this case, limiting the hours which women and young persons may work, and insisting upon their having reasonable times for meals and rest. I think it is unnecessary to give reasons why those provisions should be applied to an enormous industry like this, which is almost exclusively carried on by women and young persons. It appears to me rather that reasons should be given why they should not be included, and that no reason can be a good one unless it is overwhelmingly strong. I know it has been said, and it may be repeated in your Lordships' House, that this business is in the nature of a season trade; that there comes a sudden rush of work, and that it cannot be performed and the business carried on unless those employed in it work excessively long hours. Believe me, that is all nonsense. It may be the cause at the present time; but if the hours are limited as they ought to be, the trade would very soon adopt itself to the new conditions. It has been said, also, that it would be very hard on the middle class people that they have not, perhaps, a great many shirts, and that they have them washed in a hurry. If that be so, I think myself it would be preferable that the middle-class in London should be compelled to buy a shirt or two more, and that the 100,000 laundresses should not be allowed to work excessively long hours, and should not be allowed to carry on their industry under circumstances which would not be permitted, and which would be illegal if these persons were engaged in any other industry in the country. I understand the difficulty that is urged in carrying on their trade, but if proper hours and

time for meals and rest were provided for them, it would be found that the opportunity would soon adapt itself to the changed circumstances.

Amendment moved, to insert the following new Clause:—

"(1.) In section ninety-three of the principal Act and in Sub-section (3) of that part thereof which defines the expression 'non-textile factory' there shall be added after 'in or incidental to the adapting for sale of any article' the words 'or (*d*) in or incidental to the washing or cleansing of household linen or articles of wearing apparel or other laundry work,' and after 'manufacturing' the words 'or other.'

(2.) In the same section of the principal Act, and in Sub-section (2) of that part thereof which defines the expression 'workshop, there shall be added after 'in or incidental to the adapting for sale of any article' the words 'or (*d*) in or incidental to the washing or cleansing of household linen or articles of wearing apparel or other laundry work.'"—(The Lord Kenry [*Earl of Dunraven and Mount Earl*].)

LORD SANDHURST: I desire to say only a word or two on this subject. There is no doubt that the places in which these people work are of a very unsanitary description, and that they affect the health of the workers. Indeed, they suffer very much from consumption, weak eyes, and bad legs. I have taken the trouble to obtain from the Brompton Hospital some information with regard to their suffering from consumption, and I was very much startled at the result. I have had the advantage of a conversation with a clergyman, the vicar of one of those parishes at Notting Hill, where over 20,0000 of these people live, and he tells me that, having had experience in Bethnal Green, the people who live in Notting Hill seem to have less self-reliance, and to lead far more miserable lives than anything he saw during the whole time he was in Bethnal Green. They live in great fear of taking any action themselves. The canvass to which my noble Friend alluded was carried on under circumstances of the greatest difficulty, because the canvassers were never allowed into the places where the work was going on, and they had to get such information as they could from the workers as they came out of the laundries. I would beg leave to point out that by trying to put this new clause into the Bill we are not trying to put into our factory legislation any new principle, because by the Factory Act of 1864 it is distinctly laid down that the designation "factory" shall be ascribed to factories where steam and steam-power are used, and that all workshops, however small, occupied by persons working for hire, shall come under the factory regulations. Then, again, dyeing is under the Factory Acts. That is only a process employed in regard to clothing; while washing is simply a process for cleansing it, and it appears to me, with all respect, that is a technical distinction with no practical difference. Of course, this population is an extremely poor one. The circumstances under which they live breaks up what is generally meant by home life entirely. They have to take their children to a *crêche* or to leave them with a caretaker. They leave their homes early in the morning, and get back to them late at night, and, therefore, the children who go to school have to be locked out that they may not incur danger from fire. Then, with regard to the wages they receive. My attention has been called to a statement in a book written by Mr. Charles Booth, who is known as a great authority on the subject, "Labour in London," and he distinctly states that washerwomen receive as a rule 4s. or 5s. a day. I have endeavoured to check that statement, and I have seen a washerwoman, as to whose history I have made very careful inquiry, and she informed me that is totally in excess of the wages really earned, and that she herself has worked frequently 18 hours at a stretch for 3s. 6d. I submit to your Lordships that endeavouring to bring these washerwomen within the Factory Acts is really only endeavouring to develop our Factory legislation, and that this clause is a very legitimate application of the principle which underlies it.

EARL WEMYSS: Before the noble Earl answers, I should like to say that I have been asked to say a word on behalf of the smaller laundries. As your Lordships may be aware, there are large and small laundries. A laundry may employ any number of persons, from three up to 20, 50, or more. It may easily be supposed that the large laundries are very favourable to this kind of legislation, because it will crush out the smaller laundries. But in the small laundries they say this legislation is perfectly inconsistent with their carrying on their trade, which comes at uncertain times and

hours, and necessitates working overtime. I have here a mass of papers on the subject, which at this hour I will not trouble your Lordships with, but I may say that they comprise resolutions of mass meetings, attended by great numbers, at Croydon, Rotherhithe, and other places, all deprecating this kind of legislation. There is a strong movement set on foot by these people wishing not to be interfered with by Parliament. I believe that Mrs. Fawcett is in favour of that movement. These full-grown women say that Parliament has no more right to interfere with them than with men. This clause will go the length of establishing Parliamentary interference, not only with laundries, but with the work of all full-grown women everywhere. Then I have other statements here, repeating what I have already referred to, that is the statements made by them that this is cruel and unnecessary—that "it is not the business of Parliament to interfere with us." Then there is the statement of the Laundry Co-operative Association. I have a statement from the solicitor who acts for these small laundries, and I have also a petition which has been presented to Parliament. Instead of making a long speech and troubling your Lordships with these documents, I will just read one paragraph of this petition. They say—"Your petitioners further submit that the provisions restricting the hours during which women may be employed are destructive of the laundry industry, which now employs thousands of industrious persons who now earn a variable income in it." Then they say that there are periods of idleness, and often requiring large amounts of work to be completed by a given time; that if the women are obliged to stop work at a certain time it will be impossible for the petitioners to conduct their business, and consequently they will be thrown out of work; and not only that, but the owners of premises will lose the rent which they now receive, and for which purpose they have expended money in fitting up those premises. Then it is added that "some of your petitioners are not engaged in the laundry business at all, but in other businesses in the district, which would suffer severely from the stoppage of the work and the loss of custom to their shops." Having been asked to do this, I thought it right that I should go and visit these places, and see their condition for myself, and last Thursday I did so. I went quite unexpectedly—nobody knew I was coming—to some of these small laundries, which will be crushed out if your Lordships accept the legislation proposed by noble Lords on both sides of the House. The laundries I went to employed some 30 or 40 people, and nothing could be more healthy and contented than the appearance of the women who were employed there. I happened to go about luncheon time, and I found that they had a quarter of an hour allowed for lunch, an hour for dinner, and half an hour for tea. Their lunch they bring with them, and eat whatever they bring at the shops. They go home for dinner and they also go home to tea. I questioned these women, and asked them if they wanted the inspectors to take care of their health, bodies, and souls, and they laughed at the idea of being watched over. They laughed at the arguments which have been put forward by some too interested friends as to the miserable conditions under which they work. Then as to the dirt of the thing, I can only say that I went there with a clean pair of boots, and I came away with them just as clean as when I went. It strikes me this would be a very hard thing on these people, and they pray to be saved from the well-intentioned but uncalled-for, as they think, and cruel humanitarian legislation of my noble Friend. I hope the Government will stand by their Bill, and will not allow my noble Friend—for that is what it comes to—to reverse the deliberate decision of the House of Commons; for the whole thing has been discussed there, and the Government carried their Bill with the clause as it stands. I hope they will stand by the legislation which has been passed in a nother place.

LORD THRING: The noble Lord tells us that the small laundries will be crushed out, but I think if he had taken the trouble to read the Amendment he would have seen that that is not the case. The small laundries will not b crushed out.

EARL WEMYSS: The question is, what you call a small laundry.

LORD THRING: I suppose the noble Earl means places where only a few people are employed.

EARL WEMYSS: I am talking of laundries where some 30 or 40 persons work.

LORD THRING: The noble Earl talks incredulously of "doleful tales" we are told; but does my noble Friend know what took place before the Sweating Committee? We were told over and over again that we were cruel in excluding the children, and that we were going to ruin the owners of these places. But they had not been ruined. What has been the effect of the Factory Acts? Why, they are the most beneficent legislation we have ever had. What is the distinction between these laundresses and the women who are employed in other workplaces and factories? It is perfectly true that in the earlier stages of factory legislation, Parliament confined itself to the steam-factories; but Parliament put fustian-cutters under that legislation because they found that the health of the people suffered. Some of these laundries are in a parish with which I am well acquainted, and I know what happens. My noble Friend says they are very willing indeed to show people over their laundries; but what said the clergyman to whom he has alluded, and who was well acquainted with the misery endured by these members of his flock? He said, "They will not let you into the bad laundries, and, therefore, you could not see their condition." What was that clergyman's account of them? He depicted these laundresses as being in the most miserable state, the laundries wet and wretched, with the women working up to their ankles in water, dirty, squalid, and miserable. Then, are we to be told that we are introducing a new principle when we are not introducing any new principle at all, and that we are disturbing business—the old, familiar tale—when they never have been disturbed? I trust your Lordships will pass this clause in justice to these poor washerwomen, whose numbers amount to 100,000, and who are now in a condition of squalid misery.

*THE EARL OF DUNRAVEN: I merely rise to point out that my noble Friend (Lord Sandhurst) has a similar Amendment down later, but he has two exceptions in it. I wish to say that if your Lordships will accept my Amendment, I should be quite ready to include that provision in it. I sincerely hope your Lordships will accept this Amendment. Of course, my noble Friend on the cross-benches (Lord Wemyss) may be perfectly right in saying that it is a mistake altogether to interfere with the liberty of adult women; but, if so, let us at least be consistent and do away with all our factory legislation affecting adult women. But if our factory legislation interfering with adult women is beneficial, as I believe it to be, then why, in the name of goodness, should it not be extended to these women who are engaged in this laborious work? I do not think your Lordships will be much affected by the letters which have been read by the noble Lord, saying that if the present conditions of this industry are interfered with, some of the public may have to pass their lives in one gradually-darkening shirt. I think your Lordships need not have the slightest fear on that score, and I feel convinced that if this clause is passed, this industry will continue to be carried on under its improved conditions, just as other industries have been carried on before.

EARL FORTESCUE: I have only one word to say. I presented a petition some years ago from a number of shop-women in reference to the conditions of their work, and the same thing applies to these laundry-women. There was one thing which they dreaded much more than long hours, and that was being compulsorily excluded from employment. That was a thing which they dreaded very much, and they deprecated Parliament compelling them to forego the means of earning an independent and respectable livelihood, and they added the further ground that it would lead too many of their sisters into terrible temptation.

LORD DE RAMSEY: My Lords, I think you are hardly likely to allow an excess of sentimental philanthropy to draw you away from a course of sound common sense in this matter. What has happened since the Factory Acts of previous years to induce you to alter your decision as to laundries? There has been a vast amount of agitation on this question, a great deal of petition presenting, depu-

tations, and other matters which we are well acquainted with in London; and we know that whenever a popular question arises, it is easy to get up petitions and deputations. Overwhelming proof has been given us that any interference with laundresses is most unnecessary and most undesirable. We do not want to extend the scope of this Bill. It is a Factories and Workshops Bill, and we ask your Lordships very earnestly not on this occasion to extend it. I said very early in the evening that laundresses were brought within Section 2 of this Bill, and I did not explain the matter then, because I did not want to raise a question of this importance at that period; but they are brought in there merely to make laundries subject to the same sanitary regulations as workshops. We have done that much, and to make a long story as short as I possibly can—and I shall detain your Lordships for a very few seconds more—this question really resolves itself into a question of hours. I have already spoken of the sanitation. A great deal of misapprehension exists on this point. The question of hours is the one we have to consider. For the purpose of special sanitation, laundries are under the Public Health Act, and would remain so, were they made workshops. That is an important thing to remember, that they would remain under the General Public Health Act, even if they were made workshops. With regard to the hours, which I have stated to the House, I think is a matter that is worthy of your consideration; it remains for your Lordships to decide whether you think it is possible or probable that the public will alter their mode of life in regard to changing their linen. If you could get the British citizen to put on his Sunday shirt on Saturday afternoon, and otherwise alter what have been his customs time out of mind, we might be able to go some way towards meeting the wishes of noble Lords; but as long as the family washing goes away on one day and has to come back on another, so long must you have four days in the week in these laundries in which the work is comparatively heavy, and two days on which it is comparatively light. Added to that, there are exceptional matters which you can hardly legislate for. Let me mention one. A traveller goes to a big hotel, gives out his linen early in the day, and says he wants it back as quickly as possible, and they let him have it back in the evening of the same day. How, if you are going to put laundries under the same rules with regard to hours as factories and workshops, can you possibly meet the public convenience in that way? Then, as to the effect which these long hours have on the women employed in the laundries. I venture to state decidedly that the exaggerations on this point are enormous, and there is no reason whatever why we should not allow a poor washerwoman to work what hours she likes, and when it is most convenient to her. It is a matter quite outside this subject of factory and workshop legislation, which deals with places where articles are manufactured for gain, while in this matter the work is only for domestic purposes.

THE EARL OF KIMBERLEY: Are not the washerwomen paid?

THE MARQUESS OF SALISBURY: It is in the nature of domestic service.

LORD DE RAMSEY: My point is that they are not working upon articles which are got up for sale. That is the difference, that factories and workshops are dealt with because the goods manufactured are produced for sale. It would be presumption for me to think I could explain the matter further to your Lordships, a matter which has been before the public so long, and which has been so fully discussed; but I do earnestly hope that your Lordships will not agree to this Amendment, and that you will enable us to make this Bill a practical and useful measure.

*THE MARQUESS OF RIPON: My Lords, the speech we have just listened to is one of those speeches that everyone who is as old as I am has had to listen to from time to time in matters arising upon our factory legislation. The noble Lord on the Cross Benches (Earl Wemyss) says that legislation on this subject is wrong.

EARL WEMYSS: No; I said the resolutions on the part of the women themselves were to that effect. They are rebelling against your further legislation.

*THE MARQUESS OF RIPON: Then, if the noble Lord does not say it is wrong I am glad to hear it, and I will leave that point alone. The noble Lord who has just sat down concluded by telling us that he could not include

laundries in this Bill, because the linen washed was not got up for gain. Places where boots are made and where women are employed are now included under the Factory and Workshop Acts, and if you send your boots to be mended they are not got up for gain; but the places where they are sent to be mended are nevertheless put under the provisions of the Workshop Acts. So that I do not think the noble Lord's analogy is quite correct. Then the noble Lord tells us that the laundries are included under Section 2.

THE MARQUESS OF SALISBURY: For sanitation purposes, under Sub-section 2 of Clause 1.

*THE MARQUESS OF RIPON: The noble Lord said it was Section 2, and therefore I mistook it. The noble Lord who has just spoken (Lord de Ramsey) dealt a great deal in assertion. I quite admit my noble Friend on the Cross Benches (Lord Wemyss) produced some evidence on the other side; but the noble Lord who has just sat down treated us to a series of assertions. He told us the Home Department think so too, but he gave us no evidence whatever in support of the opinion he expressed, whereas my noble Friend, Lord Sandhurst, produced before your Lordships the evidence of the Vicar of the parish at Notting Hill, who compared the condition of the washerwomen in his parish with the condition of others whom he had known in Bethnal Green. He also gave you the evidence of the physicians at the Brompton Consumption Hospital with regard to the effect of this work on those washerwomen, and with all respect to the noble Lord (Lord de Ramsey), I must say I prefer the opinion of a clergyman and of physicians with regard to the condition of their flocks and patients to any unsupported assertion which may be made from the Home Office. There is one part of this matter on which very little has been so far said, but it is a most important point, and that is with reference to the fencing of machinery. I have inspected one of those steam laundries—a very well-conducted establishment, as it seemed to me—but I observed there was not an attempt to fence the machinery. The fencing which everybody in the northern districts in England are accustomed to see did not exist, and the gentleman who was good enough to show me over the place I inspected—he was the manager of the institution himself—admitted there were machines which had drawn in the fingers of the women and had crippled them. That shows the necessity for fencing, and the machinery could be fenced with the utmost facility, only, as the law does not require it, they never do it. I think that is a very strong point in favour of including these laundries under the Factory Acts. Then, as to the hours. Just recollect the nature of this work. Do your Lordships think that washing—and especially ironing when it is not done by a machine—is easy work? Hand-ironing is, I am told, very hard work indeed, and do you think there is no need to deal with it if you are to regulate the labour of women at all? It is too late to enter upon a discussion of that question now; it is an established principle of our legislation. Surely in regard to work that is so hard and so laborious, these poor women have just as good a claim to have their hours regulated as have the milliners and women employed in bootmakers' establishments, who are brought under the regulations of the Factories and Workshops Act. I earnestly trust your Lordships will not be tempted by arguments which you have heard over and over again on this subject from doing what is right in this matter. Some of those noble Lords who have addressed the House have spoken as if our factory legislation was a thing to be deprecated and not extended. I believe it to be, as my noble Friend behind me (Lord Sandhurst) said, one of the most successful portions of the legislation of this country. The Berlin Conference has shown you that it is the envy and admiration of foreign countries. It is going to be the model upon which they are about to attempt to legislate themselves, and I think your Lordships cannot be wrong in following the principle upon which you have hitherto acted in the case of these over-worked women.

THE MARQUESS OF SALISBURY: My Lords, I have heard one speaker after another urge upon your Lordships to make this change, on the ground that factory legislation has succeeded. Why has it succeeded? Factory legislation has succeeded because it went on a definite principle, because it was moderate,

because it was sensible, and because it avoided exaggerations and superfluous philanthropy. That is no ground for thinking that a false development of that legislation will succeed, which sins against all those principles, and which deals in a very reckless, hasty, ill-considered manner with the industry and livelihood of a great number of the poorest and most helpless of our population. If you are right, you may save these women from long hours; if you are wrong, you are condemning them to starvation—or worse. I maintain that before you take such a step as that, and interfere with this industry, you ought to do something more than move an Amendment in a Bill directed to another purpose. You ought to make it the subject of special, long, careful, and considerate inquiry; and you ought to introduce a special measure in which special provisions can be devised suitable to the particular industry with which you are dealing. There are two peculiarities about this industry which should make you pause; one is that you are entering upon what is, to a very large extent—I do not say that is so in the case of these very large steam establishments which have been referred to—interference with a species of domestic service. You are going outside manufacture and sale, and entering into those vast multifarious services which are included in the term domestic service. You must ask yourselves how far you are going to apply the principle of compulsory hours to all kinds of domestic service. The other ground upon which some caution may be asked of your Lordships in dealing with this matter is, that this industry does not, like other industries, allow itself to be timed according to days. It is an industry unlike most of the industries we have dealt with, in which Mondays are like Tuesdays, Tuesdays like Wednesdays, and Wednesdays like other days, and where there is no difficulty in applying the rule; but the essence of this is, that the want which creates this industry makes the labour heavier at one part of the week than at another. There is no reason why the industry, as a whole, should be more laborious than another; but if you attempt to make one day like another you are practically, if not ruining the industry, loading it with such heavy restrictions that you make the practice of it difficult and costly. And, remember, that every additional difficulty, every additional tax you impose on the industry redounds to the advantage of the rich and to the disadvantage and injury of the poor. It then becomes only those who can afford to pay for the impediments which your philanthropy has imposed, who can practice the industry, and benefit by it, and all the competition which they have to meet with from poorer persons, by which those poorer persons could live, is, by your philanthropy, crushed out.

*THE EARL OF DUNRAVEN: I would remind your Lordships that I have offered to amend my Amendment by adding at the end of it the proviso at the end of Lord Sandhurst's later Amendment on Clause 32:—

"Provided that this Act shall not, nor shall the principal Act apply to any domestic laundry.

"A domestic laundry means a laundry in which the work is done for the use of a single family, or single institution, by persons being servants of such family or institution on premises belonging to such family or institution, and in respect of which work no profit is derived by the persons by whom or by the persons for whom the work is done. Domestic laundry shall also include a laundry in which the persons employed are all members of the same family residing in the house in which they are employed, but they may be assisted by not more than two persons, although such persons are not members of the same family and are not resident in the same house."

I beg to move that addition to my Amendment.

On Question that the proposed new clause as amended be inserted? Their Lordships divided:—Contents 19; Not-Contents 49.

Amendment disagreed to accordingly, and Clause 30 agreed to.

Clause 31 agreed to.

Clause 32.

*THE EARL OF DUNRAVEN: My Lords, the object of this Amendment is to repeal words in the principal Act referring to certain classes of goods. I frankly admit that I do not know whether that would have a bad effect, but certainly their existence will have this effect, that in Sheffield, for instance, the workpeople are not employed in the ordinary sense by the employer, but each man hires a portion of the premises and

he works practically for himself; so that in some places, according to the definitions in the Act, neither the factory nor the domestic workshop provisions would apply, and they would not be inspected by anybody. To ensure that inspection is my object in introducing this Amendment.

Amendment moved, in Clause 32, page 11, line 16, after ("Act") insert as a separate subsection:—

"In the same section 93 of the principal Act, and in that part thereof which defines the expression 'workshop,' there shall be repealed the words following: 'and to which or over which premises, room, or place the employer of the persons working therein has the right of access or control.'"—(The Lord Kenry [*Earl Dunraven and Mount-Earl*].)

LORD DE RAMSEY: The words are unnecessary, if the noble Lord will take it from me, for this reason, that we want to exclude workplaces which are not put under the Factory Inspectors both as being innumerable and also as being in the nature of homes. That is all the reason I think I need give the noble Earl, and unless he wishes I need not go into the details.

*THE EARL OF DUNRAVEN: I would suggest that the noble Lord should consider the cases I have mentioned, and see whether any means could be devised for bringing them into the Act. I mean cases where the people working are really not employed, but who hire portions of the premises themselves.

LORD DE RAMSEY: I will consider that matter before the next stage.

Amendment, by leave, withdrawn.

Remaining Clauses and Schedules agreed to; Bill re-committed to the Standing Committee; and to be printed, as amended. (No. 232.)

House adjourned during pleasure; and resumed by the Earl of MORLEY.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) BILL.—(No. 96.)

COMMITTEE.

Order of the Day for the House to be put in Committee, read.

LORD HERSCHELL: My Lords, I stated on a former occasion that I had been in communication with the Attorney General of Ireland on the subject of this Bill, and I quite agreed with him that owing to a recent decision in the Court of Appeal in Ireland some modification of it was necessary. I have since had a communication from the Attorney General of Ireland, who states that he has conferred with the Chief Secretary on the subject, and that they have come to the conclusion that it will be necessary at an early period during the next Session to introduce a Bill dealing with the subject of Drainage Boards. Under those circumstances, I do not propose to proceed further with this Bill at all this Session.

EARL CADOGAN: My Lords, I only rise to make one slight explanation. I think the noble Lord said it had been arranged that a Drainage Bill should be introduced at an early period next Session. I am afraid it is impossible for us to pledge ourselves as to the time of its introduction, but I can say the matter is engaging the attention of the Chief Secretary, and that it is our intention to prepare and produce as soon as possible a Bill on the subject of Drainage in Ireland.

LORD HERSCHELL: I did not intend to lay stress on the introduction at an early period of next Session, but to say that a Bill would be introduced.

Order for Committee discharged.

COUNTY COUNCILS (ELECTIONS BILL. (No. 222.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD HENNIKER: I will not trouble your Lordships with any lengthy remarks at this hour of the evening, but it is necessary for me to make a few observations on this Bill in introducing it. I must remind your Lordships that under the Municipal Corporations Act as applied to the Local Government Act of 1888, County Councillors are required to be elected once in three years, on the 1st November. A provision was made by the Act of 1888 that the first election should be in January, 1889. These elections were held in January, 1889. The elections of 1889 took place on a register which come into operation on the 1st January, 1889, and when the question of preparing the new register for 1889 was considered, very strong representations were made to the Local Government Board that in many

cases it was quite impracticable to secure a revision and completion of the register by the date prescribed. As your Lordships know, the last day is the 20th October, and the printing of copies of the register between the 20th October and the 1st November would be impracticable in some cases, and very difficult in others, and that in cases where it might be possible to complete the register by the 1st November the printing would be done under great pressure, and that the cost of the printing would be very seriously increased. There was an Act passed in 1889 which provided that the registers of 1889 and 1890 should be completed by November 30th. There was no objection taken to this change of date, because, of course, these registers only affected the elections which were required to fill up casual vacancies. With regard to the next County Councils elections, the question is quite a different one. It is an election of all the County Councils in England, and the strongest possible representations have been made to the President of the Local Government Board as to the extreme risk of the failure of the arrangements for the election by reason of the difficulty in securing the printing within the period allowed. So general was the complaint made to the President of the Local Government Board that it was thought necessary to propose some amendment of the law to meet the difficulty. There was a general indisposition on the part of everybody interested in the question to change the dates of the election as laid down by the Act of 1888; so it was thought that it would be wise that additional time should be given by providing that some of the proceedings in connection with the registration should take place at earlier dates than those at present fixed by Statute. A Bill, as your Lordships probably know, was introduced by the President of the Local Government Board; but the proceedings in the House of Commons connected with that measure showed it was desirable that it should be withdrawn, and a measure to alter the date of the elections introduced —the one to which I have brought to your Lordships' attention this evening. It is to that effect. It was essential that if the first Bill, which was introduced by the President of the Local Government Board were passed, it should be passed early in the Session, particularly as the dates of the registration proceedings were to be altered for the present year. At first it was contemplated by this Bill to fix the next election, as the first election for the County Councils was fixed, in January; but there were many representations made to the President of the Local Government Board upon the subject. In fact, the great proportion of the County Councils in England were in favour of the month of March being fixed; and they said, not for one reason only, but for many reasons, that it was much more convenient the elections should take place in the month of March. Therefore, the Bill provides that the elections shall be held between the 1st and 8th of March, that the registration shall be completed by the 20th December, and that the register shall come into operation by the 1st January. If the Bill is passed, as I hope it will be, by your Lordships, the whole of the difficulties as to printing, and so on—and there are many of them—will be obviated. I should mention that the Bill does not affect the date of the burgess list in boroughs at all. I may also mention that in connection with the first elections of County Councillors some question arose as to who were the Returning Officers in certain cases. The question arises as to who should be the Returning Officers in a borough divided into wards, where the wards were not conterminous with Electoral Divisions, and as to the duties of Returning Officers in counties and boroughs respectively. Those difficulties were met by the Local Government Board for the first election temporarily by orders under powers given them by the Local Government Act; but they could only meet that difficulty temporarily. This Bill has afforded an opportunity of remedying this difficulty, so the Local Government Board has provided that the Mayor, or in his place an Alderman, will in every case act as a Returning Officer in a borough of that kind. All the duties which ordinarily devolve upon a Mayor in a municipal election will be performed by him, except that he will have, after the return of the Members of the County Council, to make a return of those elected to the County Returning

Officer. There is only one other provision in the Bill which I need refer to, and that is a provision dealing with the date at which County Councillors, Aldermen, Chairmen of County Councils, and any others the Act affects, should make their declaration. It is now fixed at ten days, and the time is extended to meet cases where Aldermen and Councillors happen to be abroad, or not able to take the declaration at the time. It is now proposed that within three months of the notice given the declaration will be quite in order. I know a case in my own county where this happened, and where great inconvenience and expense were caused in having a fresh election. I think, my Lords, I have explained as shortly, and I hope clearly, as I can the provisions of this short Bill; and I beg now to move that it be read a second time.

Moved, "That the Bill be now read 2ª." —(*The Lord Henniker.*)

*LORD LINGEN: My Lords, I am very sorry to trespass upon your time at this late period of the evening, but this Bill, although apparently one of routine and procedure on the face of it, affects the London County Council very closely. By the classification of constituencies in the Local Government Act of 1888 the County of London is classed among the counties of the Kingdom. This Bill is confined to counties, and, as one of them, it affects the County of London; but the great Municipal Corporations of the Kingdom are outside this Bill, and they will retain their elections in the month of November. I do not know why the objection that is taken to the old register and the new one applies to the counties and does not apply to the Municipalities; but in London it will have very serious effects indeed. The practice hitherto has been for the estimates of the coming year, both for expenditure from the rates and for borrowing on capital account, to begin to be made up in November. The process is very much the same as it is in the Government Departments. Various Committees, which, for brevity, I may call Spending Committees, are constituted for the various work of the Council, and the Chairmen of those Committees, in conjunction with the other members of them, prepare their several estimates in communication with the Chairman of the Finance Committee, and with the principal permanent financial officer of the Council—the Controller. I can answer now, from the experience of three years, that the preparation of these estimates among the various officers and authorities who have to be consulted, occupies not less than three months. The Local Government Act prescribes that the estimates for each year shall be ready for settlement by the Council in April. The financial year of the London County Council and of other Municipal Councils begins in April; the financial statement goes before the Council, which is the ultimate authority on this subject, is made as soon after April as possible, waiting for the end of the old financial year, and the commencement of the new one. Now, if the new Council is appointed in March, inevitably the new Council must present the estimates of the old one, and I venture to say that is not the intention of the Act of Parliament. Adopting the month of November from the Municipal Corporations Act, it provides, in effect, that the Finance Committee shall prepare its financial statement in conjunction with other Committees, and submit it to the Council; but that cannot be done if the election is postponed in the manner proposed. The question naturally arises now, because this is the first election of County Councils and of Borough Councils since their institution, and if the Act of Parliament as it stands be followed, the Committees of the new Council will have time to prepare their estimates, and, with full knowledge of the case, to bring those estimates before the Council. But besides finance, with which I am personally acquainted in the administration of the Council, there is a vast mass of Parliamentary business which the Council has to transact, in opposing Bills and introducing Bills of its own in the course of each Session. The proposed date of election will cut the Session right in two; the outgoing Council will be in office up to Easter, and the new Council will be in office afterwards. Those who are familiar with our Parliamentary business inform me that the consequences of that interruption of the business by the election of the new

Council will be most serious. These points I wish very earnestly to bring before your Lordships. I did not see this Bill until Saturday, and I had no time to give notice, or to confer with my colleagues upon it; but after conference with them now I should like to give notice, if I am sufficiently in order in doing so, that on Motion to go into Committee I shall move that this Bill be referred to a Select Committee. I should be content, if nothing more is referred to a Select Committee, than that London either be exempted from the Bill, or that large modifications as to the date of election should be made in favour of London. A Select Committee has this advantage, which your Lordships' Standing Committee on Law does not equally possess, that we should be able to produce our permanent officers, both our Parliamentary Agent, our Comptroller, and our Deputy Chairman, before this Committee, and they would be able to state matters with authenticity and in detail much better than I could state them before the Standing Committee on Law, after having been instructed by those gentlemen. I am very sorry to have detained your Lordships so long, but it was indispensable that I should state to you how this Bill affects the County Council of London.

On Question, agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Monday next.

BILLS OF SALE ACT (1890) AMENDMENT BILL.—(No. 159.)

Read 3ª (according to order), and passed.

FORGED TRANSFERS (No. 2) BILL. (No. 214.)

Read 3ª (according to order), with the Amendments; further Amendments made: Bill passed, and returned to the Commons.

SCHOOLS FOR SCIENCE AND ART BILL.—[H.L.]—(No. 193.)

Read 3ª (according to order); and passed, and sent to the Commons.

MORTMAIN AND CHARITABLE USES AMENDMENT BILL—[H.L.]—*now* MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL.—[H.L.]—(No. 215.)

Amendments reported (according to order); further Amendments made; and Bill to be read 3ª To-morrow.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Earl Fortescue to the Standing Committee for the consideration of the Public Health (London) Bill. Read, and ordered to lie on the Table.

House adjourned at twenty-five minutes before Nine o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 13th July, 1891.

ALIEN IMMIGRATION.

Return ordered—

"Of the number of Aliens arrived from the Continent at Ports in the United Kingdom in each month from June to December, 1891."—(*Sir Michael Hicks Beach.*)

PUBLIC EXPENDITURE.

Return ordered—

"Of Public Expenditure (Exchequer Issues) Charges on Taxes for each year 1857-8 to 1890-1 (in continuation of Parliamentary Paper, No. 338, of Session 1890."—(*Mr. Childers.*)

QUESTIONS.

THE INDIAN TROOPSHIP SQUADRON.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether he is aware that the vessels comprising the Indian Troopship Squadron occupy (on an average) 30 days for each passage on the outward and homeward voyage to Bombay, or about 10 days more than that of merchant passenger steamers, besides consuming more fuel per day than modern merchantmen of similar tonnage and type, and whether it is intended that these vessels shall be fitted with more powerful and economical

machinery; if so, when, and at whose expense, that of the Home or Indian Government?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The average time taken by the Indian Troopships in the passage to and from Bombay is 27 days, but the coal consumption is less than that of a merchantman of similar tonnage running at high speed. When it is necessary to replace the machinery of these ships the question of fitting engines of an improved type will be considered. Such an expense would be a charge on Indian funds.

SURVEYS OF THE SHORES OF THE UNITED KINGDOM.

MR. WEBB (Waterford, W.): I beg to ask the First Lord of the Admiralty whether measures will be taken to secure the more "frequent and closer surveys of the shores of the United Kingdom," declared, in the Report of the Admiralty Hydrographer just presented to Parliament, to be necessary "from the changes and new dangers revealed during this year (1890) alone."

*LORD G. HAMILTON: The hon. Member is under a misapprehension as to the meaning of the sentence quoted from the Hydrographer's Report. It does not imply that more frequent surveys are necessary, but that the frequent surveys, &c., now undertaken are amply justified. There are now three surveying ships at work in home waters, of which one was added in 1889, and these are considered sufficient for present requirements.

WRECKS OF MERCHANT SHIPS.

MR. WEBB: I beg to ask the First Lord of the Admiralty, with reference to the *Leerdam* and the *Gaw Quan Sia*, merchant vessels, which were sunk in the North Sea after collision, on 16th December, 1889, and whose iron masts are declared by the Hydrographer of the Admiralty to be an appalling danger to shipping, whether, since the *Penguin* and *Triton* failed to discover the wrecks, further operations will be undertaken to fix the site of these wrecks and warn off shipping?

*LORD G. HAMILTON: These wrecks are in the centre of the North Sea, in no territorial waters, and nearer the Dutch coasts than our own. In the interests of Her Majesty's ships and of our great mercantile trade, the Admiralty have, however, already made great and unprecedented efforts to ascertain the position of the sunken steamers, and have offered a reward to any fisherman who would buoy the spot and report the same to the Admiralty. Although frequent complaints have been made of nets being caught in the wreckage, no fisherman has yet taken the trouble to do this. Three of Her Majesty's ships have made careful search for the wrecks, but, without further information limiting the area, any further search would be entirely useless, the objects being so very small.

RAILWAY TIME-TABLES.

MR. BOULNOIS (Marylebone, E.): I beg to ask the President of the Board of Trade, whether representations can be made to the various railway companies, drawing their attention to the serious inconvenience caused to the public by the delay in bringing out the time-tables, and urging upon them the desirability of publication at least a week before the expiry of each month?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth) (for Sir M. HICKS BEACH): The Board of Trade have no power to compel Railway Companies to publish the alterations in their time-tables by any particular time, but the Department have already been in communication with the Railway Association on the subject, and, no doubt, the question of my hon. Friend will be of use in directing attention to the matter.

THE NAVAL RESERVE AND THE NAVAL MANŒUVRES.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty how many of the first class and how many of the second class Naval Reserve men have volunteered for service during the forthcoming Naval Manœuvres; and whether he is aware that, in order to induce men on the North-East Coast to leave their current employment, the seamen and stokers will expect similar remuneration to that which they are now receiving in the mercantile marine, and that the second class will expect an equivalent to that which they are now

earning on board trawlers and other fishing craft?

LORD G. HAMILTON: As I stated in reply to a previous question by my hon. and gallant Friend the Member for Eastbourne, a limited number of men of the first and second classes of the Royal Naval Reserve who volunteered have been allowed to embark in certain of Her Majesty's ships for the Naval Manœuvres this year, in addition to the ordinary complements of the ships. It was originally proposed to limit the total number to 300, but no definite proportion was allotted to the first or second class. The number reported to have actually joined is 217 first class ond 252 second class—total, 469. The result shows that the inducements offered to the men to volunteer were adequate.

LIVERPOOL POST OFFICE.

MR. CROSS (Liverpool, West Derby): I beg to postpone until Thursday my Question to ask the Secretary to the Treasury whether he can state the result of the negotiations for the acquisition of a site for a new post office in Liverpool?

NEWFOUNDLAND FISHERIES.

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for Foreign Affairs whether the French Chamber of Deputies have yet agreed to the arbitration between this country and France on the Newfoundland Fisheries question?

BARON H. DE WORMS (for Sir J. FERGUSSON): The situation has not changed since the answer which was given to the hon. Member for Kirkcaldy on the 22nd of June.

MR. MORTON: I beg to ask the Under Secretary of State for the Colonies whether the action of Sir Baldwin Walker in closing 60 lobster factories on the west coast of Newfoundland, thereby causing great suffering among the people and the loss of a large amount of capital, will come under the supervision of the local courts to be established in accordance with the Agreement recently made between Her Majesty's Government and the delegation from the Newfoundland Parliament?

BARON H. DE WORMS: The newspaper telegram of July 7, on which the hon. Member bases his question, has not been confirmed by official intelligence. The latest news of Sir B. Walker's movements is that he was to meet the French Commodore at St. Pierre on the 6th of July, to discuss with that officer the effect which it would be necessary to give this year to the *modus vivendi*.

POST OFFICE LEAD PENCILS.

DR. TANNER (Cork Co., Mid.): I beg to ask the Secretary to the Treasury if he is aware that the lead pencils supplied to the Post Office Telegraphs Department are of German manufacture, and bear the name of "Guttknecht, Bavaria"; and why are German manufactured goods selected in preference to British?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): If the hon. Member will refer to an answer which I gave to a similar question on the 27th of June, 1890, he will find full information on this subject. The reason why the pencils are used is because the Department prefer them.

DR. TANNER: Will the right hon. Gentleman answer the last paragraph of the question why it is that German manufactured goods are selected in preference to British, and why competent men in this country are neglected?

MR. JACKSON: They are not selected because they are German manufactured goods, but because they answer the purpose better.

GOVERNMENT CONTRACTS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether Messrs. Holland and Hannen, contractors for repairs, &c., of public buildings, agreed under their contract to pay their painters employed under the contract at the minimum rate of 8½d. an hour, the ratio generally accepted as current in the trade for competent workmen; and whether he is aware that, in violation of their agreement, they have within the last few weeks reduced the wages of some or all of the painters engaged on the work to 7½d.; and, if so, what action he proposes to take in order that the Resolution of the House of the 13th February, in regard to the payment of

fair wages under Government contracts, shall be properly enforced?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The question of the hon. Member seems to be based on a misconception. Messrs. Holland and Hannen are not departing from the terms of their contract. The facts are that in the schedule of rates accompanying their tender the minimum rate for painters was higher. But this was owing to an error, and when they discovered the error Messrs. Holland and Hannen wrote to the Office of Works for permission to correct it, and to reduce the minimum rate for painters to 7½d. per hour. Having satisfied myself that for much painters' work 7½d. would represent the rate of wage "generally accepted as current for competent workmen," I agreed to the alteration, and the contract has been drawn on the basis of a range of wages for painters of from 7½d. to 9½d. per hour.

MR. SYDNEY BUXTON: What steps has the right hon. Gentleman taken to inform himself whether this was the maximum rate?

MR. PLUNKET: I ascertained that, if paid directly, the men would be paid a larger rate for work on behalf of the Crown than they would obtain otherwise.

In reply to Mr. CUNNINGHAME GRAHAM (Lanark, N.W.),

MR. PLUNKET said: I am aware of the Resolution of the House, which was, in fact, passed upon my own Motion. The course taken has been entirely in conformity with the Resolution.

INFLUENZA.

MR. C. E. HOWARD VINCENT (Sheffield, Central): I had intended to ask the President of the Local Government Board if he proposes to institute any further inquiries into the origin, prevention, and treatment of the disease known as influenza, which has been again so fatally epidemic this year, having regard to the memorandum of the Medical Officer of the Local Government Board, covering the elaborate Report of Dr. Parsons upon the outbreak of 1890, which Dr. Buchanan describes as showing that

"it is an eminently infectious complaint,"

and declares

"that it would be no small gain to get more authentic methods of identifying influenza, so as to get earlier opportunity for applying preventive measures."

At the request of the right hon. Gentleman I will postpone the question until to-morrow.

SCHOOL DISTRICT OF WHATLEY, SOMERSET.

MR. A. DYKE ACLAND (York, W.R., Rotherham): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the school district of Whatley, in the County of Somerset, consists of the civil parish of Whatley, with a population of about 400 and an area of 1,259 acres, and that in the district there are two schools within two miles of each other; and whether one or both of these schools received in 1889 the small population grant under Article 104 of the Code; and, if so, by what legal authority the small population grant was paid to these schools, or either of them, in a school district, as defined by the Act of 1870, Schedule 1, and Section 3, and the Act of 1870, Section 19 (2), which has more than 300 inhabitants?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The grant under Article 104 of the Code appears to have been paid to both these schools in 1889 under the impression that the two ecclesiastical districts for which separate returns were made by the managers were distinct school districts, whereas they really formed one school district, as defined by the Act of 1870, and the Inspector was misled in recommending the grant.

SOUTH KENSINGTON MUSEUM.

MR. BARTLEY (Islington, N.): I beg to ask the First Commissioner of Works whether the plans and elevations of the competitive drawings to complete the South Kensington Museum have been sent in; and, if so, whether he will have them exhibited in the Tea Room before the end of the Session?

MR. PLUNKET: I expect that Mr. Waterhouse will have finished his examination of, and Report upon, the com-

petitive designs by the end of this week, and in the course of next week the Committee will, I hope, make their selection. As soon as they have done so, the drawings can be shown in the Tea Room. They cannot, of course, be exhibited, or even allowed to be seen, until the Committee have made their choice. It is proposed that in due course the designs should be exhibited to the public, probably at South Kensington.

FREE EDUCATION.

MR. BRYCE (Aberdeen, S.): I beg to ask the Chancellor of the Exchequer whether seeing that the Bill granting free education in England has now passed through this House, Her Majesty's Government will forthwith present to the House the estimate for the granting to Scotland of a sum of money as an equivalent to the educational fee grant for England; and, whether Her Majesty's Government will present the Estimate in a form enabling the opinion of the House to be taken upon the purposes to which the Scottish grant is to be applied, or, if the estimate cannot be so framed, will in some other way arrange to give the House an opportunity of pronouncing its opinion upon the mode of application of the grant, or upon the conditions which ought to be attached thereto?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In answer to the first part of the hon. Member's question, the estimate is practically ready and will be presented to the House in the course of a few days. The House will have full opportunity for discussing the matter upon the Estimate, but I cannot give any undertaking that the Government will bring the question forward in any other form.

MR. BRYCE: What I desire to know is what opportunity will be given to the Scotch Members to express an opinion as to the destination of the Vote. It will be felt as a hardship if they are not allowed to discuss the matter.

MR. GOSCHEN: So far as mere opinions are concerned, when the Estimate is submitted they will have a full opportunity of expressing them by moving a nominal reduction.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): Can the right hon. Gentleman hold out a hope that the Estimate will not be brought forward as a Supplementary Estimate at the end of the whole business of Supply?

MR. GOSCHEN: I will confer with my right hon. Friend the First Lord of the Treasury on the subject. I quite understand the desire of the right hon. Gentleman.

MR. HUNTER (Aberdeen, N.): I beg to ask the Chancellor of the Exchequer whether, considering that in the Division on Thursday night a large majority of Scotch Members voted in favour of abolishing school fees for children in Scotland between the ages of three and fifteen, the Government will consent to give the same advantages to Scotch parents as are given by the Education Bill to English parents, with respect to the limits of age within which their children will receive free education?

MR. GOSCHEN: The Minute of June 11 has now become law, and while experience must decide how far it is acceptable and convenient in operation, we believe that it will be found well adapted to the circumstances, and that under its provisions school authorities will be able and willing to offer advantages in respect of free education which will be accepted as fully satisfactory by Scottish parents. We shall, however, use every opportunity of testing its operation by experience, although we do not think that at present it would be expedient to propose any alteration.

ADVANCES UNDER THE ASHBOURNE ACTS.

MR. SEXTON (Belfast, W.): I beg to ask the Attorney General for Ireland, if he can state what were the total number of applications for advances under the Ashbourne Acts, and the total amounts applied for on the estates of Sir Victor Brooke and Sir Thomas Lennard in County Fermanagh, and also the total numbers and amounts sanctioned on each estate, and the average rates of purchase on the rent on each estate; did Mr. Wrench, who was agent on these estates, take any part in the negotiations with the Purchase Commissioner as to the sums to be advanced in any of these cases, and had he access to any of the Private Reports of the Purchase Valuers, and did Mr. Wrench,

as tenant, apply for an advance to purchase any holdings on the estate of Lord Lanesborough in County Cavan, or on any other estate; and, if so, what was the area and rent of each holding and the advance applied for; was the application granted, or how was it dealt with; and which of the Purchase Commissioners had charge of the sales of each of these estates?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Land Commissioners report that 27,095 applications for advances under the Ashbourne Acts have been received up to June 30, 1891. On the Brooke estate 580 applications were received for £192,636. Of these 553 were sanctioned for advances amounting to £185,217. On the Lennard estate 376 applications were received for £139,068. Of these 365 were sanctioned for £136,067. The average rates of purchase were respectively 19·3 and 18·6 on the rents of each estate. Mr. Wrench previous to his appointment as Commissioner under the Act of 1881, had, as agent, practically arranged the sales of the whole of both of these estates. Subsequent to his appointment he did not enter into any negotiations with the tenants, but he did inform Mr. Commissioner MacCarthy, under whose charge the sales were, when questioned by him, of the nature of the holdings purchased, and was shown by Mr. MacCarthy in some cases the valuers' reports. Previous to his appointment as Commissioner Mr. Wrench had arranged with Lord Lanesborough as to the purchase of a leasehold in the County Cavan, containing 104a. 3r. 24p., held at a rent of £116 18s. 5d., and an application for an advance of £2,278 was provisionally sanctioned. Mr. Wrench subsequently instructed his solicitor to withdraw the application. The farm has since been purchased by the present occupier, Mr. Mahaffy, on the same terms.

GUN FIRING IN A PUBLIC ROAD.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether his attention has been called to the fact that Constable Thomas M'Garry discharged a double-barelled gun in the public road in the village of Kilmeedy, County Limerick, on the 17th day of April last; and whether the occurrence was reported to the District Inspector and to the Excise Authorities, and why no notice has been taken?

MR. MADDEN: The fact stated in the Question is correct, and there has been an investigation into the case, with the result that the constable was admonished and fined.

MR. SEXTON: Had the constable a license?

MR. MADDEN: That is another question, and I am unable to answer it.

MR. SEXTON: I beg to give notice that I shall feel compelled to raise this question upon the Estimates.

ILLITERATE VOTERS AT THE CARLOW ELECTION.

MR. J. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Attorney General for Ireland whether he can state to the House the number of illiterate voters who polled at the recent election at Carlow, and what members of the Roman Catholic clergy acted as personation agents at that election?

MR. MADDEN: I must ask the hon. Gentleman to defer the question. Inquiry is being made.

MR. J. POWELL WILLIAMS: I will repeat it on Thursday.

MR. SEXTON: I wish to ask Mr. Speaker if it is in order to place upon the Paper an invidious question of this kind in reference to what the hon. Member called "Members of the Catholic clergy?"

*MR. SPEAKER: I do not see anything irregular in the question.

In reply to a further question by Mr. J. POWELL WILLIAMS,

MR. MADDEN said: Inquiry will have to be made of the Sheriff's representatives who acted at the various polling booths. If the hon. Member will put down the question for Friday, I will make inquiry and endeavour to obtain the information.

WEST CORK MAILS.

DR. TANNER: I beg to ask the Postmaster General whether any, and if so what, steps are proposed to be taken to promote the acceleration of the mails to Skibbereen and Bantry, in West Cork;

and, if so, when the improvement will be carried out?

*Mr. JACKSON (for Mr. Raikes): It has not been found practicable to make any arrangement for accelerating the service. It is impossible to re-adjust the train service without a large addition to the present cost.

Dr. TANNER: What would the additional expenditure be?

*Mr. JACKSON: I am afraid that I cannot answer that question.

HAULBOWLINE DOCKYARD.

Dr. TANNER: I beg to ask the First Lord of the Admiralty what is the present condition of the channel which connects the floating basin in Haulbowline Dockyard with the main channel of the river; and whether he is aware that at several points this recently excavated channel has been choked by accumulations of mud?

Lord G. HAMILTON: The amount of silt that has accumulated since the channel was originally dredged is about one foot, reducing the depth of water from 31 feet to 30 feet. No other obstruction exists in any part of the entrance channel.

Dr. TANNER: Is the noble Lord aware that the south end of the dredged channel is filled up to the extent of several feet, and that no ship of war can by any possibility enter the dockyard, although so much money has been spent upon it?

Lord G. HAMILTON: The channel ought to be clear, and I will inquire whether what the hon. Member asserts is true.

DUTY PAID TO THE IRISH BENCHERS.

Mr. SEXTON: I beg to ask the Chancellor of the Exchequer when and where the inquiry concerning the proportion of Stamp Duty now paid to the Irish Benchers will be held, by whom it will be conducted, and what facility will be afforded to the Incorporated Law Society to state and substantiate their claim?

Mr. GOSCHEN: The hon. Member seems to have got into his head the idea of a much more formal and elaborate inquiry than was suggested at the Grand Committee, but I may say that every facility will be given to the Incorporated Law Society to state and substantiate their claim. I am addressing letters to the Incorporated Law Society and to the Irish Benchers suggesting that each of them should select a gentleman to take part in an inquiry, and that I would name a third unconnected either with the Benchers or the Incorporated Law Society. What I should prefer would be an arbitration rather than an inquiry if both sides were prepared to agree to an arbitration, and I would then undertake to bring in a Bill to give effect to such arbitration. But if either side objects to the arbitration, then the matter must be dealt with in the form of an inquiry, and I must be guided by the result of that inquiry as to the course ultimately to be pursued.

MESSAGE FROM THE LORDS.

That they have agreed to — Local Authorities (Scotland) Loans Bill; Allotments Rating Exemption Bill.

Amendment to Amendments to — Roads and Streets in Police Burghs (Scotland) Bill, without Amendment.

That they have passed a Bill, intituled, "An Act to consolidate enactments relating to Trustees." [Trustee Bill [Lords.]

MOTIONS.

FOREIGN MARRIAGES BILL.

On Motion of Sir James Fergusson, Bill to amend and explain the Foreign Marriage Acts, ordered to be brought in by Sir James Fergusson and Mr. Jackson.

Bill presented, and read first time. [Bill 408.]

MR. DE COBAIN.

(3.45.) The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): In the unavoidable absence of my right hon. Friend the First Lord of the Treasury, I rise to move the Motion which stands in his name with reference to the charges relating to Mr. de Cobain. The House is now in full possession of the evidence, which goes to prove that Mr. de Cobain is aware of the charges brought against him, and of the fact that a warrant has been issued. Some time has elapsed since the warrant was issued, and under these circumstances, according to precedent, I beg to move the Resolution which has been

placed on the Paper by my right hon. Friend.

Motion made, and Question, "That Mr. Edward Samuel Wesley de Cobain do attend this House in his place upon Thursday 23rd July,—(*Mr. Chancellor of the Exchequer,*")—put, and agreed to.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £27,382, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for the Colonies, including certain Expenses connected with Emigration."

(3.50.) MR. PICTON (Leicester): I desire to move the reduction of this Vote by the sum of £100. When the discussion was adjourned on Friday night, the Committee were considering the conduct of Her Majesty's Government in relation to the treatment of the Zulus, especially in reference to the continuance in exile of the two Zulu Chiefs—Dinizulu and Ndabuko. I have great sympathy with these people, because I think that they have not been fairly dealt with. The right hon. Gentleman the Under Secretary for the Colonies, in reply to my hon. Friend the Member for West Waterford (Mr. Webb), on Friday, made what appeared to me to be a most uncalled for charge against Miss Colenso. The right hon. Gentleman said that her conduct had not been conducive to the welfare of the natives of Zululand or to the peace of the country—a charge which, in my opinion, was quite unfounded. I venture to assert that the right hon. Gentleman can bring no charge justly against Miss Colenso, except that she has had too much confidence in the justice of the British Authorities. She persisted in assuring the Chiefs and the natives that they might rely on British justice to remedy their wrongs, and it was only in consequence of her loyal and earnest persuasions that the Chiefs waited as long as they did before they sought to obtain redress for themselves. The work of Miss Colenso must be viewed as one with that of her father, and I am not aware that any more heroic record of Christian work exists in the world than that of Bishop Colenso and those who assisted him, especially his daughter, in South Africa. I maintain that if Christian missionaries go from this country and submit to great sacrifices, they are deserving of more sympathy and respect than have been shown in this case, and I believe that their word is entitled to the consideration which is usually given to persons who talk about what they understand. We have read Miss Colenso's despatches, and they show that the concession which was made to the Boers in 1886 was an unjust and impolitic concession. It was an act of gross impolicy and of cruel injustice on the part of the British Authorities to send Usibepu back to the country after he had been driven out for cruelty and misgovernment. It must have been known that such a course would lead to disorder, and bring to an end the comparative era of peace which the country had enjoyed. Umsutshwana, one of the Chiefs who had taken a foremost part in driving out Usibepu in 1884, had retired to a small kraal of five or six huts, on being evicted, with a large part of his tribe from their own lands, and this was part of the evidence given in Court by an old woman, sitting on the floor with a baby grandchild before her:—

"I know Umsutshwana," she began. "At the time of his death I was at Ntshuku's kraal. I was there because we had run thither for protection, when we were running away from Usibepu. Umsutshwana belonged to the Government—that was the reason why we went to him. I slept outside the kraal fence. It is quite a small kraal. On the night before Umsutshwana's death my elder daughter and her three daughters were with me there. My younger daughter was there also with her three children, of whom this is one. Her elder child was not five years old. Early next morning an *impi* (war party) came and surrounded the kraal. It killed my eldest daughter and the child of five. It was stabbed in the thigh, and then it crawled, when its mother fell from off her back to the embers by which we had been. It came and sat beside us, and a young man came up and stabbed it to death. I heard the *impi* cry *watshetsha* (Usibepu's distinguishing cry). Beside my daughter another

woman fell. As to Umsutshwana he was shot; the men who shot him were Usibepu's. When he was shot I heard him cry out, 'Oh! alas! I am dying, and I don't know for what sin.' I heard the men who were killing him cry 'Ji' (a sign of triumph at the death of anything hunted). Then Usibepu rode up fast on horseback at the time 'Ji' was cried, and jumped over Umsutshwana and back again, being then on foot. Then the *impi* went off, driving the cattle with them. They took away also women and children. They said that I could remain. What was the good of taking one so old as I was?"

This took place after the Zulu Chiefs had waited for many months expecting a favourable answer from the Government at Cape Town to their appeal for protection. At last their patience was quite worn out, and possessing the idea that they were left to themselves, but that they had the sympathy of the Government of England, they determined to take up arms to protect themselves and their people from the cruelties to which they had been subjected by Usibepu. This was then condemned by the Government as levying war on the Queen; the Chiefs were charged with high treason against the British Government, although the British Government was by no means completely established at that time, so that any act of violence could be called by so high-sounding a name as high treason. What followed? Troops were sent and a terrible vengeance was taken. The Chiefs were tried and punished with exile. In no sense was justice done. Three hundred of the Zulu women were taken away, and Miss Colenso tells us that she succeeded in ransoming one of them. A vast amount of suffering was occasioned. We could hardly have expected the same ideas of order to prevail in Zululand as in this or any other civilised country, and to regard a few scrimmages among discontented Chiefs as making war on the Queen is absurd, especially as those very Chiefs were not opposed to British authority. For whatever wrongs these Chiefs committed, their exile was more than an amply sufficient punishment. I hope that the Government will, as far as they can, cultivate a better feeling amongst the Zulus, and show that Miss Colenso did not exaggerate when, speaking of the British Government, she said these poor people might rely upon justice at our hands. I beg to move to reduce the Vote by £100.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £100, part of the Salary of the Secretary of State."—(*Mr. Picton.*)

*(4.5.) CAPTAIN BETHELL (York, E.R., Holderness): I have no intention of pursuing the same line of argument in regard to South African affairs as hon. Members opposite, but I willingly join with them in urging the Government to exercise considerable clemency in relation to these military prisoners. Among the arguments used by the hon. Member for Caithness (Dr. Clark) on Friday were these, that exception must be taken to the constitution of the Special Commission which tried the prisoners. But the question was brought before the Judicial Committee of the Privy Council, and the Court was declared to be legal and even proper; and exception must also be taken to the character and weight of the evidence, and also to the severe sentences imposed. From these views I wish to dissociate myself. I am quite sure that it is impossible for anybody who did not hear the evidence to form a judgment as to its weight and character; I am perfectly content to accept the decision of the Special Commission; and so far as the sentences are concerned, bearing in mind the indictment of high treason upon which the prisoners were arraigned, the Judges could not well have passed much lighter sentences. If it were proved that the prisoners had committed high treason it was impossible to pass very light sentences. But I will pass from the procedure of the Court and proceed to criticise the action of the Administration in reference to these Zulu prisoners. I certainly do not approve of the action of the Administration in the matter. In my opinion, the indictment for high treason ought never to have been made against the prisoners. The offences they were alleged to have committed did not amount to high treason. The hon. Member for Caithness gave on Friday the early history of the trials, but I do not think it is necessary to go into it again. Against the two most important prisoners, Dinizulu and Ndabuko, three charges were made which separately and

together were alleged to constitute the crime of high treason. It appears that a certain fine had been levied upon them which the Administration sent the police to collect, calling upon the Chiefs to obey the law. They refused to pay the fine, but on the first demand the police were not treated with violence. When, however, they were sent a second time to enforce the law they were driven back, and unfortunately there was loss of life. But that did not amount to high treason. They committed a breach of the peace, it is true, but they were not guilty of rebellion against the Queen's Government. There was really in substance no distinction between the action of Dinizulu and Ndabuko and the action of Irish tenants, who on certain occasions with which we are all familiar, have resisted the officers of the law. It was a resistance of the law, but it was not high treason. It is absurd to call the offence high treason. But there was another act alleged against these same men. Dinizulu saw Usibepu, his ancient enemy, within his grasp. He did what any one would have done under like circumstances; he attacked and routed him. But even that was not high treason. A frightened Government arraigned the men for high treason, convicted them, and they were sentenced to long terms of imprisonment. All that these men did was to commit a breach of the peace. They declined to give up certain men and to pay a fine to the officers of the law, and later on Dinizulu collected his forces together for the purpose of crushing his ancient and hereditary enemy. But he never proposed to drive out the Governor of Zululand. What he did was to offer resistance to the police twice, once without violence. I am obliged to point out here an observation by Chief Justice Wragg, of Natal, which induces me to think that there was more than the nature of the crime behind the sentences imposed upon the Chiefs. At the termination of the proceedings Chief Justice Wragg addressed a Report to Lord Knutsford, which will be found at page 17 of Blue Book C, in which he said—

"I am strongly of opinion, which my colleagues share, that for the peace and welfare of British Zululand it is necessary that the prisoners should be deported to some foreign country far removed from Zululand."

That is to say, that there were political motives behind what was required by the justice of the case. But whether the Chiefs were likely to be troublesome in Zululand or not was a political consideration, with which the Chief Justice had nothing whatever to do. His business was simply to adjudicate upon the offence as it was alleged against the prisoners; yet in his Report to Lord Knutsford he added this sentence, which clearly shows that there was something behind which acted as an additional reason. Therefore, I think I have some justification for saying that the sentences were rendered somewhat more severe by motives which were not entirely judicial, and that they would not have been as severe as they were if the Chief Justice had possessed a mind more completely unaffected by the condition of the country. The sentence upon the two Chiefs was that they should be exiled to some foreign place for 10 years. Another Chief, who was half-brother to Cetewayo, was also tried for high treason, for offences of more or less the same character, and also sentenced to imprisonment. I think that the Administration in reviewing the sentences ought to have taken into consideration—impartial consideration—the character of the country and the difficulties under which these people had laboured for some years. Who were they? Dinizulu was a youth, the son of an absoulute King whose power was destroyed, whose country was thrown into a maelstrom of disturbance, and who, in a moment, was deprived of his inheritance. Within eight months of being deprived of his rule over the country he was tried for these offences. Is there nothing to be said for a man who was deprived suddenly of the whole of his power? Would it not have been wiser to have exercised a little patience? Ten years of exile must seem an eternity to the uncivilised or semi-civilised man. Is there not something in the plea that the uncivilised man should be treated with consideration? I would recommend my right hon. Friend to take great care that the punishment imposed upon these men when they return to their country, which they must do sooner or later, instead of securing obedience and a recognition of the supreme authority

over Zululand, does not engender a bitter hatred and an unextinguishable feeling of injustice. A moderate punishment was undoubtedly deserved; but let me invite my right hon. Friend to consult Lord Knutsford, in order to see whether they cannot extinguish a considerable part of the sentence. Let some hope be given to these men that they will return to their country; do not remove from them the possibility of return before the expiration of 10 years. I should like, before I conclude, to say a word about the Commissioner in Zululand, Mr. Osborne. I have nothing to say against Mr. Osborne. I believe that in difficult circumstances Mr. Osborne has done the best he could. But I would suggest only this: that the Commissioner, who has been an energetic and able officer, having been in Zululand all this time, and throughout all this trouble, has undoubtedly taken—perhaps was obliged to take—one side against the other. The side he took was that opposed to Dinizulu, and in favour of Usibepu, and I find from his Despatches that his deliberate opinion is that peace can never exist in Zululand as long as Dinizulu and Ndabuko were allowed to remain there. I make no charge against Mr. Osborne, but can he remain there as Commissioner when these two men go back? Is it not possible to replace Mr. Osborne by some other officer, who shall bring an unbiased mind to bear on the settlement of the affairs of Zululand? I certainly unite my voice with those of hon. Members opposite who urge that it is a matter which ought to be looked into carefully. I have read most of the evidence, and I have heard a good deal of what has been said on the other side, and, after most carefully weighing everything, I think it is undoubtedly a case in which the clemency of the Crown may be very justly exercised. I do not join in the plea of injustice, but I only ask my right hon. Friend and Lord Knutsford to inquire into the matter, with a view of deciding whether the punishment imposed upon these men is not too heavy.

*(4.27.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I cordially join in the appeal. I look upon the whole of our policy in that country from the beginning to the end as a policy of which England ought not to be proud. Indeed, I regard the whole of our dealings with Zululand, with a very few exceptions, as a series of blunders. I will not, however, enter into matters of ancient history, but will confine myself to recent events. My hon. Friend who first moved the reduction said the punishment of these chiefs was a vindictive punishment. If that were so, I do not think that any words would be too strong to apply to it. It is a great crime for a great nation like this to inflict anything in the shape of a vindictive sentence upon savages. But I do not go so far as my hon. Friend and say that it was a vindictive sentence. Still, I think that it was more or less influenced by political considerations. I think that we are bound to look at this question as a matter of justice. I altogether demur to any Judge looking at anything except the real merits of the case. As to the sentences, they were undoubtedly severe. I think that when the right hon. Gentleman said that the men were never more happy in their lives he went a little too far. A sentence of exile is a much more severe thing to half civilised people than it would be to us, and the right hon. Gentleman not only underestimated the severity of the sentences, but he also considerably overstated the offence which had been committed. I cannot help thinking that the accounts which have been given are considerably exaggerated. It is said that Dinizulu was guilty of murder, but the word seems a strong one to use in application to the acts which he committed. We all know that in a country like South Africa human life is far less sacred than in a country like England. The phrase "high treason," too, as applied to his acts is too strong. The right hon. Gentleman must bear in mind the position of Dinizulu. He was the son of the old King Cetewayo, who for years and years was supposed to rule by Divine right. To describe his acts of resistance as acts of high treason is absurd. The term might as well be applied to the foray of a Highland clan in the last century, or to a Scotch border raid in the days of Henry VII. Of course, if these men had committed high treason, then the punishment must necessarily have been severe. It may be that Miss Colenso probably has indulged in some of that feminine exaggeration which

probably we may look for when we get female suffrage, which the right hon. Gentleman supports. But Miss Colenso is thoroughly honest and generous in spirit, and she carries on with enthusiasm the work bequeathed to her by her father. But I go so far as to say that, in dealing with these things, it is good that you should have some honest advocacy on the side of the natives. We know the sort of record we are likely to get from official sources which will hardly ever be fair to the natives. With regard to the question of the amnesty, I venture to press upon the right hon. Gentleman very seriously whether the time has not come when he can grant something like an amnesty. The danger which was at one time apprehended of a great movement among the Zulus is practically over. The spirit of the Zulus is broken; they are docile, and easily managed by kindness. As to the general question of Zululand, my hon. Friend has suggested that it should be placed under the responsible Government of Natal; but before assenting to that, I should like to see a little more of the working of that Government. However, I agree that it is desirable to have a change of administration in that country, and there must be men in the Colonies with the qualifications necessary for successful government. An appeal has been made from both sides of the House, and I ask the right hon. Gentlaman whether he does not think the time has come when justice should be tempered with mercy.

*(4.35.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): I regret that the hon. Member was not in his place on Friday evening when I dealt fully with this subject, as in answering him now I shall be compelled to take up the time of the Committee by repeating many of the statements I then made. With regard to the action of Miss Colenso, I can only say that whilst accepting the statement of the hon. Member that she had been actuated by the best of motives, I must again recall the fact that as far back as 1882 Sir Henry Bulwer, in a Despatch to Lord Kimberley (Colonial Secretary in the Administration of the right hon. Member for Mid Lothian) deprecating her interference in Zulu affairs as conducive to disturbances in that country. I am inclined to agree with the views he then expressed, and apply them to the line of conduct she has since pursued, and is still pursuing, relative to the imprisoned chiefs and their followers. I regret that such a long time should have been allowed to elapse—now more than three years—before this question has been brought to the full consideration of Parliament. Events which happened so long since are apt to be forgotten by hon. Members, and they are the less able to appreciate the real state of things, and are consequently driven to false conclusions.

CAPTAIN BETHELL: May I remind the right hon. Gentleman that Mr. Bradlaugh called attention to the subject last year?

*BARON H. DE WORMS: The hon. Member for Leicester and my hon. Friend (Captain Bethell) have repeatedly urged in the course of their remarks that the acts of Dinizulu were not acts of high treason, because they were not in any way directed against the Government of this country, but against Zibepu. I can show that such is not the case. Now, the first rebellious act of the Usutus was in April, 1888. At that time Ndabuko led a body of men against the police, who, under Mr. Mansell, the Commandant, were sent for the purpose of executing a warrant issued against four natives guilty of contempt of Court. That was the first act of rebellion. Warrants were issued for the arrest of Dinizulu and Ndabuko for their action at the Usutu Kraal on the 26th of April, and on June 1st Mr. Mansell started for Ceza to execute them, with a force of 70 native police, about 100 Dragoons, two companies of Mounted Infantry, and about 600 of Muzamana's men. None of Zibepu's men were present. On the 2nd June, 1888, our force arrived at Ceza. They found opposed to them under Dinizulu and Ndabuko, about 2,000 armed Usutus, who, under cover of the fortified position, made such a fierce resistance that our force was obliged to retire with loss, and if it had not been covered by the Dragoons, would have been cut to pieces. Encouraged by this, Dinizulu and the Usutus raided in the district and

committed several murders: *e.g.*, Dirk Louw, Klaas Louw, and several natives—men, women, and children. That was the second act of rebellion. The third act of rebellion was on the 2nd July, 1888. A force of about 2,000 men, including Dragoons and Mounted Infantry, were sent to Ulopekulu to capture Ishingana and disperse his followers. The position was taken after six hours severe fighting; the Usutus were dispersed with considerable loss. The fourth act of rebellion was in July, 1888, on the Umfolosi, when the Magistracy there was attacked by Somkeli with more than 2,000 Usutus, and they besieged it until the arrival of relieving forces on the 10th July. On this occasion several murders of peculiar atrocity were committed. I should like to know from hon. Gentlemen opposite what are acts of rebellion if these are not? These were not acts against Usibebu; they were acts against the forces of the Crown, and the object was to re-assert the supreme authority of the Zulu Chiefs as against the authority of the British Crown. I must confess I have not heard from hon. and right hon. Members opposite any defence of these acts. It is not sufficient to get up in the Committee and say that these acts were not rebellious acts in the true sense of the word, because they were directed against the personal enemies of Dinizulu. As a matter of fact they were nothing of the sort; they were against the authority of the Crown, and as such they were acts of rebellion. The hon. Member for Leicester said that Usibebu ought to have been punished because he was guilty of murder. What are the facts? On the 4th, 5th, and 10th of June, Umsutshwana, one of the Usuto Chiefs, met the ally of Dinizulu and routed Zibepu's people and murdered several of them. On the 11th, Zibepu, who was on patrol duty, attacked Umsutshwana, who was defeated and killed with 10 of his men. On the 23rd June, Zibepu, who was at the Iruna Magistracy, was attacked by an Usuto force from Ceza, numbering 4,000 or 5,000 men, and was defeated with the loss of 300 killed. In consequence of this it was not thought safe to continue the occupation of the Magistracy, and it was abandoned and the force withdrawn to Etshowe. The prisoners were tried, and their friends appealed to the Judicial Committee of the Privy Council, who confirmed the sentence upon them.

CAPTAIN BETHELL: They merely approved the composition of the Court.

*BARON H. DE WORMS: The question of the legal competence of the Court was brought before the Committee of the Privy Council, and they decided that the Court was properly constituted. The hon. Member for the Holderness Division says that Dinizulu and the other chiefs ought not to have been indicted for high treason. He seems to forget that the Court before which they were tried had the power to quash the indictment had they held it to be improper. They did not do so; they tried and sentenced the prisoners for high treason. The Judicial Committee of the Privy Council decided that the Court was a properly constituted and competent tribunal. I do not see upon what ground the hon. Member now seeks to impugn its acts and decision. The hon. Member took exception to the action of Mr. Justice Wragg in suggesting, in the Report on the trial which he made to the Secretary of State, that it would, in his opinion, conduce to the tranquillity of Zululand if the three chiefs were deported; and he went on to say that he must have been influenced by political considerations. I protest against such an unfair insinuation. Mr. Justice Wragg is a most upright and able Judge; he was called upon to make a Report on the trial, and was fully justified by his intimate knowledge of all the facts in expressing his views as to what he considered the best course to be adopted. With regard to Dinizulu, it must be remembered that he was first charged with murder as well as high treason.

DR. CLARK (Caithness): Then why did you not send him back to Natal, if you had him here on false pretences?

*BARON H. DE WORMS: The hon. Member does not appreciate the position. The prisoner was removed from Natal under the Colonial Prisoners Removal Act. Would the hon. Gentleman argue that a person, charged with murder, should not be extradited simply because the evidence proved afterwards insufficient to support the indictment? The indictment was not preferred in this instance for murder, although there

was some strong evidence against the prisoner of having murdered a trader and his family.

*MR. G. OSBORNE MORGAN: I was speaking of Dinizulu.

*BARON H. DE WORMS: That is the very murder with which Dinizulu is charged.

*MR. G. OSBORNE MORGAN: It was not proved.

*BARON H. DE WORMS: It was proved that one of his followers was guilty of the murder, and the man was sentenced to death. His punishment was subsequently commuted to hard labour for life. Dinizulu was guilty to the extent of having brought about the circumstances which directly led to the murder of this man and his family. There was another murder under peculiarly atrocious circumstances, and in fact, owing to the conduct of Dinizulu and others Zululand was in a state of continuous internecine strife. Cattle were raided, wives were stolen, homes were burnt, and the people were miserable. But no sooner were these men in prison than everything became as peaceful as possible. These facts are beyond denial. With regard to the amnesty, it must be left to the discretion of the Government whether the present is the best time for these men to return to Zululand. They were sentenced to 10 years imprisonment, and only three years of that term have been served. I cannot give any promise at present that these chiefs will be sent back to Zululand.

CAPTAIN BETHELL: While I give every credit to Mr. Justice Wragg, my argument is that he took into consideration when making his Report the political condition of the country, whereas, I think, he ought to confine himself to matters judicial and not trouble himself about the political aspect of affairs.

(4.57.) MR. BRYCE (Aberdeen, S.): I confess I am sorry that the Under Secretary for the Colonies has adopted such an uncompromising attitude, and that he remains unmoved by the arguments addressed to him from both sides of the House. The Under Secretary repeated his censure of Miss Colenso, as one of those persons who are perpetually agitating. I think it would be a very great misfortune if, in our Colonies and in all places where we come in contact with the native races, there were not these persons whom the right hon. Gentleman calls agitators. We are bound to exercise the utmost subtlety and intelligence in dealing with the native races to prevent hardship and injustice often; and I confess that we owe no small debt of gratitude to Miss Colenso for the manner in which she has maintained the cause of the natives of Zululand. With regard to the four acts of rebellion of which the right hon. Gentleman spoke, he admitted that two of them were mere acts of resistance to the police. Why, we have had resistance to the police in Ireland, and we have not called it high treason.

*BARON H. DE WORMS: Police supported by troops.

MR. BRYCE: Yes; in Ireland we have had the police supported by troops, and when the people resisted them we did not call it high treason. So far as the case of Dinizulu is concerned, it entirely rests on the resistance to the police. The right hon. Gentleman then proceeded to deal with the case of the Court and of the Privy Council, and I think that his language is liable to misinterpretation. He spoke as if the Privy Council had approved the sentence. Nothing could be further from the fact than that. The Privy Council had nothing whatever to do with the sentence. What the Privy Council dealt with was simply the question whether the Court was duly constituted, and it found that, under the law of Natal, the Governor had power to constitute the Court. Therefore, as far as the sentence is concerned, the authority of the Privy Council cannot be put forward in favour of it in any manner whatever. I think it shows the animus with which the case has been conducted that a charge of high treason should have been brought in. The right hon. Gentleman has mentioned instances in which murders were committed; but it is not proved that Dinizulu was connected with them, and, therefore, nothing properly in the nature of a charge of murder can be brought against him. Indeed, we have had a virtual admission from the right hon. Gentleman that, although Dinizulu committed acts of violence and attacked his old enemy, nothing in the nature of murder is charged against him, and certainly nothing of the kind

was proved. The short and the long of the matter is this: There was a great deal of trouble in Zululand, the legacy of that melancholy and dreary tragedy which began with Sir Bartle Frere's war. The authorities took it into their head to bring back Usibepu, and it would have been beyond human nature for Dinizulu and his friends to resist the temptation to attack their old enemy when they saw him again. Disorders and acts of violence followed, and a wise Government would have welcomed the first opportunity of restoring peace and tranquillity to the country, and if they inflicted any penalty at all, would have inflicted a comparatively light penalty. As soon as possible, they would have allowed the heir of the ancient King to resume his place at the head of his people, and they would have restrained him rather by the exercise of a wise guardianship than by the infliction of severe punishment. The sentence of exile for 10 years is very severe for a semi-civilised man, and it is quite disproportionate to Dinizulu's offences. I think a Division ought to be taken, so that we may have an opportunity of recording our protest against the policy which has been pursued. If the protest be unsuccessful at the present time, I hope that those who have brought the question forward will lose no chance of doing so on subsequent occasions.

(5.5.) DR. CLARK: I do not entirely take Miss Colenso's view of this question, nor can I justify the action taken by Dinizulu and his two uncles, but I think that much more has been made of their conduct than the facts justify. I did not attack the Commissioners. My point was that the counsel for the Chiefs wanted to bring before the Court certain reasons to justify their action, but the Court refused to permit them to adduce that class of evidence, although it was the kind of evidence that would have weighed with a jury if the trial had taken place in Natal. As I pointed out, these men, finding themselves accused of crimes, went into a civilised country and asked to be tried, but the Natal Authorities refused to try them, because they knew that if an investigation took place in Natal, the man who would have had to be put on his trial would not have been Dinizulu, but Mr. M. Osborne, the Commissioner. To save Mr. Osborne, they got this poor man and his companions taken away on false pretences, by bringing against them a charge of murder. They were then compelled to create this new Court. When it met the question that ought to have been brought before it could not be, and the witnesses were intimidated, because it was as much as their lives were worth to give evidence in favour of the prisoners. Usibepu would have killed them, and he would have been assisted by the police. Usibepu had been sent back to Zululand for the purpose of wiping out these men, and if you will read the papers you will see that this was so. As a matter of fact, they would have been wiped out had it not been that they were able to cross over into the Transvaal. The question which Lord Knutsford ought to consider is not whether the proceedings of the Chiefs were high treason or not, but whether Mr. Osborne was justified in his action, and whether a great deal is not to be said for Dinizulu and his people. I think they were driven into rebellion by Mr. Osborne and Mr. Dick Harrison, the Magistrate. I stated at the time that if the Government sent back Usibepu there would be civil war, and other Members also opposed the sending back of that firebrand to Zululand. What the Government ought to have done when terms were arranged with the new Republic was to have got Dinizulu's sanction and consent. Instead of that the country was annexed right away, and the Chiefs never knew exactly where they were until they found themselves under British rule.

(5.15.) MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I have not been in Zululand myself, but I have had 14 years' experience of the Indian frontiers of America, where a precisely similar state of things was to be found, and I wish to join my appeal to that of the hon. Member for the Holderness Division (Captain Bethell) in favour of these Chiefs. In talking about uncivilised tribes, I demur entirely to the use of the words "murder" and "high treason." I do not argue that if deaths occur in these tribes they should not be punished just as if they were civilised people; but I say that it is difficult to judge of the motives of these natives, and impossible

to attribute to them the same praise or blame as you would to civilised men under the same circumstances. The right hon. Gentleman the Under Secretary spoke of Miss Colenso as an agitator. Well, I am an agitator myself, and I have always held that much good work has come from agitators, but I think there are special reasons why the right hon. Gentleman should not have referred to Miss Colenso's action as having anything of the nature of agitation about it. I know the right hon. Gentleman will not be offended if I refer to one illustration, as I know he is one of those Hebrews who are proud of their ancient race. I would ask him, with reference to the persecution of the branch of his race which is located in the South of Russia, whether he would not welcome such action as that which Miss Colenso has been taking in South Africa? It has been said that when these men were removed to St. Helena all the cattle-stealing, and wife-stealing, and so on stopped as if by magic. Well, we have heard that Mr. Escombe, who will probably be Prime Minister of Natal, has spent much time and £1,200 in money in championing the cause of these men. Miss Colenso, in taking the course she has followed, has acted not merely from impulse, but in pursuance of the life-long policy of her great father, who was much beloved by the natives and sacrificed much for them, even, I believe, to his own life in the end, because I think it was the worry occasioned by the constant attacks made upon him by those who ought to have known better, that eventually brought about his death. I beg that mercy may be shown to these men. I have observed in my experience on the Indian frontiers of America that whenever a popular Chief is removed, although disturbances might for a moment cease, the tribe ultimately always fell into confusion, and more cattle-raiding, wife-stealing, and so on occurred on the frontier, until eventually the natives became subject to those blessings which civilisation affords to both natives and Europeans, namely, drunkenness and immorality.

*(5.22.) MR. A. M'ARTHUR (Leicester): I regard the history of our relations with Zululand as one of the most disgraceful that is to be found in our colonial history. I think we have acted most discreditably towards the Zulus. I do not desire to make any imputations in reference to Miss Colenso. Her action may not have been judicious or beneficial to the natives, but I believe she was actuated by the highest and purest motives. I believe she was carrying out the policy of her father, the late Bishop Colenso, who, whatever else he may have been, was regarded by the Zulus as the truest friend they ever had. I join in the appeal to the Government to act with leniency in this matter. These men may have acted improperly and may have been guilty, to some extent, of violation of the law; but I think the punishment has been much too severe, and I hope the Government will exercise the prerogative of mercy. I am certain that Lord Knutsford has the most kindly feelings towards the native races, and I am confident that he will look at the matter carefully, and will, as far as he possibly can, see that the prisoners are treated mercifully.

*BARON H. DE WORMS: I can assure the Committee that the Government are not actuated by any vindictive spirit in this matter. The question is entirely one for the decision of the Secretary of State, who must be guided not merely by considerations of leniency but by the condition of Zululand. There is no immediate intention of remitting the sentences, and though I cannot say what may be done hereafter, I can give no pledge at the present time.

(5.24.) The Committee divided:—Ayes 103; Noes 145.—(Div. List, No. 343.)

Original Question again proposed.

(5.37.) SIR G. CAMPBELL (Kirkcaldy, &c.): I desire to move a reduction of the Vote, with the object of calling attention to the question of granting responsible Government to Natal. The question is so important that I think it should be subject to Parliamentary discussion and decision. We have been promised Papers, but months have passed, and we are still without them. I notice in the *Times* of to-day there is a telegram from Natal which states that certain conditions are imposed, which will have to be assented to by the Natal Legislature before responsible Government will be sanctioned. I confess I hope that the

arrangements may fall through. It is a very grave question. It affects not only Natal and Zululand, but the question of British dominion in South Africa. On two sides we are shut out from access from the sea to Central South Africa—on the one side by the Cape, on the other by Damaraland; and if we grant self-government to Natal, the Imperial Government will be shut out altogether from Central South Africa. I have not such "Jingo" sentiments as have been expressed by the hon. Member for St. Austell, but I am not disposed to quarrel with him in the view he has expressed that it is especially desirable that the British Government should maintain an influence in South Africa. It is important in itself, and it is important inasmuch as it is on our road to India. If we exercise due and legitimate influence in South Africa we may save vast expenditure in the Mediterranean, and those complications in the Mediterranean of which we heard so much in a recent Debate. My "Jingoism" does go to the extent of exercising a proper influence in South Africa. In regard to giving responsible Government to Natal, my first objection is to handing over control to a body of white men who only represent 1-15th of the whole population. I quite agree in the encouragement of friendly relations between the Transvaal and Natal, but I do very much doubt the wisdom of extending responsibility to Natal. My own idea in regard to South Africa is that, while to the white communities, whether British or Dutch, a certain amount of self-government should be extended within their own territories, where the white population is in such a small minority, and where, beyond the white settlements there are such masses of native population, the Imperial Government should retain control somewhat after the manner of the Indian Government. Natal is not in the position of a white community having settled upon a territory and cultivating it; the white population are in the position of masters employing native labour. Hitherto, when we have given responsible Government, it has been to a colony in the proper sense of our countrymen qualified for and accustomed to self-government. But in Natal you have a different state of things. The first departure from this pure system of responsible Government was when the Cape was somewhat hurriedly forced into that position, but there you had half a million of men, who are the best material for colonists in the world. What was done in regard to the Cape does not necessarily lead up to responsible Government for Natal, with its 30,000 white population, 35,000 Indian subjects imported to supply labour, and half a million Kaffirs, Zulus, and other native races. The whites are in the proportion of 1-15th of the whole population of the colony, and responsible Government means the handing over to this small minority the control of this vast mass of the coloured races. Opinions may differ whether it is desirable to do this or not, but I am sure there will be a general opinion that the step should not be taken without the assent of Parliament. I will not argue the point whether the Government have power to do this without consulting Parliament; but I do say that, though they have the technical power and right, they have not the moral right to do it. While Parliament has any authority at all it should exercise it in this difficult question, and in the interest of such an immense number of native population. The Natal people, I believe, are far from wanting it; they have repeatedly refused it, and even now the proposal has only a small majority of the Legislative Council in its favour. At all events, there is a very strong minority, if not a majority, of the people opposed to giving Natal responsible Government at the present time. I have a statement from a gentleman of position in the colony—I am not at liberty to state his name—to the effect that there is no general desire for the change, and that if adopted it would probably be followed by some form of compulsory native labour. It is not unlikely that a similar state of things would happen to that which has occurred in the Mauritius and in Queensland and other colonies, that dominion over the natives would mean some form of compulsory native labour. I am quite aware that it is said Her Majesty's Government will insert certain conditions for the protection of the natives, but, on the other hand, I am certain that once you give responsible Government, when you

cast off a colony and allow it to govern itself, any stipulation or provision you make for the protection of the native population will be wholly and absolutely illusory. We had a difficulty in enforcing such a provision in New Zealand, and there has been much ill-treatment of the native population in Queensland. There is less likelihood of oppression of natives in Natal, perhaps, because they are in such an overwhelming majority, and a rebellion might follow with enormous difficulties to contend against; but in such a case, when colonists are involved in difficulties and defeat, a cry arises in this country; we have to go to the rescue, and ultimately the British taxpayer suffers. This brings me to the military aspect of the question as it affects the British taxpayer. The question of responsible Government for Natal has for many years been before Her Majesty's Government, and the Government have often shown themselves anxious to get rid of the trouble and responsibility of governing Natal, but the colonists have always refused the responsibility of their own defence. We are told in the *Times'* correspondence that the very important question of defence will probably be made matter of arrangement outside a Bill, and that British troops will remain for the present in the colony under the control of the Imperial Government. That means that the British taxpayer must pay for these troops. With such great masses of native population it is necessary to have a strong force to protect the European colonies. And what contribution do the colonists make? The Cape does not pay a farthing, and Natal has hitherto only paid a nominal sum of £4,000 out of a revenue of £750,000, and now approaching £1,000,000. I admit that, inasmuch as South Africa is on the way to India, Imperial garrisons should be maintained at certain points; but it is also fair that rich colonies should pay a share of the expenditure for their own defence; such expenditure should not fall wholly on the taxpayers of this country. Cape Town and Simon's Bay are important military ports, and we must have fortifications and heavy guns there; but is the British taxpayer to pay for all? Then it is said Zululand will remain a Crown Colony, while Natal has responsible Government; but there are about 500,000 Zulus in Natal, and I am sure nothing but trouble and difficulty will arise from two systems of Government applied to the Zulu people. It would mean the defence of Natal in another form if we had a brigade of troops as a buffer to protect Natal in Zululand. I confess I have not a great deal of sympathy with hon. Members who raise the question of the contributions for the defence of military ports in Ceylon, Singapore, Hong Kong, and elsewhere; but there is a disposition to raise these contributions by taxes on the food of the people, and I must say it is a cowardly proceeding to impose a heavy burden on some of the poorer, weaker colonies, from which colonies like the Cape and Natal are exempt. But I would press upon Her Majesty's Government that they should not rashly, and behind the back of Parliament, carry out this proposal to give responsible Government to Natal, on the ground that it is imperative that British dominion should be preserved in South Africa; that we must not shut ourselves out from access to Central South Africa from the sea; that it is dangerous to hand over the control of such an immense native population to a handful of whites who number but 1-15th of the whole, and that justice to the British taxpayer requires definite arrangements as to military defence. I hope Her Majesty's Government will not allow Parliament to be prorogued without telling us what is their intention, and that we shall be told that no final step will be taken until the House has had an opportunity of expressing an opinion on the terms on which it may be proposed to concede responsible Government to Natal. To raise the question I move to reduce the Vote by £1,500.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £1,500, part of the Salary of the Secretary of State."—(*Sir G. Campbell.*)

*(6.0.) BARON H. DE WORMS: The answer I have to give to the hon. Member does not vary much from that I had to give him some time ago. The hon. Member has raised the question whether responsible Government can be given to Natal without the prior consent of Parliament. My reply is that it can.

SIR G. CAMPBELL: I have not argued that; but I say it ought not to be so.

*BARON H. DE WORMS: Previous legislation by Parliament is not required before responsible Government is granted to a colony, except in cases were existing Imperial legislation has to be modified. In the case of Natal, the original instrument—the charter of 1856—gave to the Local Legislature the power of amending its constitution subject to the right which the Crown possesses of disallowing Bills. At the present moment the Governor has before him the Secretary of State's objections to the Bill as passed by the Colonial Legislature. These objections, which are principally concerned in safeguarding native interests, must be considered by the Local Legislature, and I cannot say what view they will take of them, or how long it will be before we are in possession of their opinions. I can assure the hon. Member, however, that the reason why the Bill has been referred back is because the Secretary of State is not satisfied with the provisions for the protection of the native races, and until Her Majesty's Government obtain adequate assurances that the natives will be protected, so long will the Imperial consent be withheld from the Bill. As regards military arrangements under responsible Government, not much can be said, as the whole question is now under discussion with the War Office. But I may say the introduction of responsible Government would not justify the summary removal of all troops from Natal. A period must elapse before the colony could substitute a sufficient police force for the maintenance of internal order. Moreover, Zululand must be defended by us, being under the direct control of the Crown, and the troops required for this purpose are, for sanitary and economical reasons, principally stationed in Natal.

*(6.6.) MR. G. OSBORNE MORGAN: No doubt the Colony of Natal has power, subject to the approval of the Crown, to constitute a proper Government. At the same time, I think it would have been satisfactory if the House of Commons had had an opportunity before the matter was finally settled of considering and discussing the question. Of course, I understand that the Government are not bound to submit the matter to Parliament, and, as it is, we must accept the statement of the right hon. Gentleman that the interests of the natives will be properly safeguarded. I have myself always been in favour of granting responsible Government to every colony as soon as it is fit for it; but the case of Natal, with a proportion of natives to Europeans of something like eighteen or nineteen to one, is exceedingly peculiar. It is possible the colonists may take strong measures against the natives, and there may be rebellion In that case there is a great deal of force in what the hon. Member for Kirkcaldy has said. It will be the duty of the Home Government to support the action of the Government of Natal, and the British taxpayer will be called upon to pay for the expense of putting down the rebellion. I should like some more definite information as to the action likely to be taken by the War Office in the matter.

DR. CLARK: I should like to ask what safeguards the Imperial Government has asked for that the Natal Government has refused?

*BARON H. DE WORMS: I can only reply that the Secretary of State has objected to certain provisions in the Bill, and those provisions are now being considered by the Government of Natal.

MR. BRYCE: I wish to ask the right hon. Gentleman three questions —first, whether Papers are going to be produced; secondly, whether there is to be a General Election in Natal in order to test the opinion of the country on the question; and, thirdly, whether there is any reason why Her Majesty's Government should not defer their consent until some time in next Session, when the question can be properly gone into and debated, and, if necessary, a Committee can be appointed to consider the Bill? At the last election the majority was an exceedingly small one, and the knowledge that the natives will be dealt with differently from what was supposed may produce a change of opinion in the popular mind. It is too late now to discuss the question this Session, but it is one of considerable importance. There is in Natal an enormous black population, and the white population is only about 40,000. The colony will be an important element in future combinations in South Africa. It is quite as important in its way as Western

Australia. I understand the right hon. Gentleman to say that no Statute is necessary; but it does not follow that because a Statute is not necessary a Parliamentary investigation here is not desirable. The right hon. Gentleman must not suppose that he is not at liberty to do that which he is not obliged to do. I hope the Government will take no final and binding step in this matter until some time in the early part of next Session, and will give us the opportunity of raising the question, and, if necessary, appoint a Committee to examine into it.

*(6.12.) BARON H. DE WORMS: As to the right hon. Gentleman's first question, I have promised Papers, and I believe they are already in the printers' hands. With regard to a General Election in Natal, the Secretary of State has no power to control the action of the Government of Natal in that direction. And the answer to the third question is practically in the same sense. Under the Charter of 1856 the Government of Natal has the absolute power to change and modify the conditions of Government.

MR. BRYCE: Without the consent of the Crown?

*BARON H. DE WORMS: Subject to the veto of the Crown. That, however, is quite another question, and would be no reason for curtailing or modifying the power which was given to Natal under the Charter of 1856. In the case of Western Australia, which has been cited, we were bound to have an Act of Parliament, as certain existing Acts had to be modified; but in this case there is no obligation whatever, Natal having the right, under the Charter, to demand from the Home Government that they should either accept or veto the Bill altering its constitution. If the conditions we have imposed are complied with, we have no right to withhold our consent. I cannot give an assurance that we shall depart from the rule we have laid down, and first place the matter before Parliament. Of course, if the conduct of the Secretary of State is impugned, Parliament can take action with regard to it.

(6.15.) MR. BRYCE: The right hon. Gentleman does not seem, in the least, to understand my point. He seems to think that the Colonial Office is bound to assent to a Bill if it fulfils certain conditions they have specified. What is to prevent the Colonial Office sending a Despatch to Natal saying, "We will not consent to this Bill until, by a General Election, the provisions of the Bill have been confirmed?" I cannot understand the lofty view of the Secretary of State's prerogative which the right hon. Gentleman seems to take.

*BARON H. DE WORMS: The opinion in Natal was expressed at a General Election.

MR. BRYCE: That is disputed. I stated that there was a General Election, and that at that election the project was confirmed by an exceedingly small majority, and that it has since been suggested that there is an alteration of opinion in Natal owing to the fact that the provisions of the Bill will be changed.

*BARON H. DE WORMS: The majority was not very small. There were 2,121 electors in favour of the proposed constitutional change, and 1,937 against it, the numbers of the members elected being 14 for the change and 10 against it.

*MR. G. OSBORNE MORGAN: Will the right hon. Gentleman the Secretary for War state what arrangements have been made for the defence of Natal?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I would rather reserve my reply to that question, so as not to give an incomplete answer.

MR. ROBY (Lancashire, S.E., Eccles): I wish to ask whether in the Papers that will be submitted we shall find the provisions of the proposed constitution and the communications that have taken place with regard to it?

*BARON H. DE WORMS: I do not think that information can be afforded. The communications are all of the nature of confidential communications.

MR. ROBY: Are we, then, to understand that the proposed important change in the constitution of the colony is to be made not only without Parliament having an opportunity of expressing an opinion on the subject, but without Parliament having the information necessary to enable them to form one? There is no reason for such great haste, and, in my opinion, the proposals for the change in the constitution of the colony should be laid

upon the Table of the House for a sufficient time to enable the matter to be fully discussed.

*Baron H. de WORMS: I have pointed out that the Government are strictly following the precedent set by the Government of the day in 1872, when responsible Government was granted to the Cape. There will be an ample opportunity afforded of challenging the decision of the Secretary of State after the constitution of the colony is altered.

Mr. ROBY: That will be too late. Do I understand that in 1872, when the constitution was granted to the Cape, a request was made to Parliament that information should be given, and an opportunity for discussion afforded, and that that request was refused?

*Baron H. de WORMS: I cannot say that. I can only say that Parliament was not consulted.

(6.21.) Mr. W. McARTHUR (Cornwall, Mid, St. Austell): While my hon. Friends are no doubt justified in pressing for full information, yet I hope no one will gather from the fact of our pressing for information that any of us are opposed to the granting of responsible Government in these particular cases. Judging from the only occasion on which I have had any experience of the granting of a constitution to a colony, I do not think discussion of this kind is very satisfactory. I think that all we need concern ourselves with in connection with this question is whether proper precautions are being taken for the protection of the natives, because there can be no doubt that natives have been improperly treated under constitutions which have been given to other colonies. However, if the Government determine to divide, I shall support them, although I think they are accepting a very serious and great responsibility, and when they have the opportunity of allowing the whole House to share in that responsibility it seems to me a very foolish thing not to avail themselves of it.

Mr. BARRAN (York, W.R., Otley): Natal is quite an exceptional colony, by reason of the small numbers of the white population and the large native population. It seems to me most undesirable to press the question forward too quickly. Some of us have cause to regret the haste with which the annexation of the Transvaal was decided upon and carried out, and it would be a great misfortune if similar haste were made in the present instance. If any dispute arose in connection with Zululand or the Transvaal the Natal Government would be unable to defend their territory, and the British taxpayer might be compelled to contribute enormously for the maintenance of the independence of the country. I hope, therefore, that Her Majesty's Government will be very careful as to committing us, although in doing so they may only be carrying out the conditions under which the Natal Government have power to organise their internal administration.

(6.27.) Dr. CLARK: The people of Natal have been considering this question for many years, and the General Elections in the colony during the last 10 or 15 years have shown a gradual growth of public opinion in favour of what is called responsible Government. The reason why the majority in favour of it is not larger is that there is in the colony a very large Party called "the Mealy and Forage Party," which is composed of people who grow rich by selling mealies and forage to the troops. I have no objection at all to another General Election in Natal on this question, because I think the advocates of responsible Government would go back to the Legislature still stronger. I should like to see something done to safeguard the interests of the natives. Certainly things cannot be worse than they are now, because polygamy is legalised, and runaway women are compelled to what is practically slavery.

*Sir G. CAMPBELL: Nothing ought to be done rashly until Parliament has had some opportunity of considering the subject. The right hon. Gentleman has stated nothing whatever as regards the constitutional question; he takes his stand on a technical point—that the Crown may dispose of this territory. But what he has read from is not an Act of Parliament, but a clause in a Charter which constitutes the present Government of Natal. We may alter that, but we are not bound to give responsible Government. As regards the protection of natives, my own view is that we cannot give responsible Government, and at the same time the Imperial Government take measures for the protection of the natives. I do not want to

see troops removed from South Africa. On the contrary, I think it a most important possession, and that we might move troops from the Mediterranean to South Africa. On no account should we remove our troops from South Africa. But I think that those for whose protection the troops are maintained ought to pay for that protection. The hon. Member (Dr. Clark) complains that polygamy is allowed in parts of Natal. Is he aware that it exists in our great dominion of India?

DR. CLARK: No, it is the permission to a father to sell his daughter, and to compel the girl to go to the husband; that is what I object to.

*SIR G. CAMPBELL: I should be surprised if the hon. Member can find any law to that effect which has been sanctioned by Her Majesty's Government any more than permission is given to sell daughters in this country. I am not one of those who would overstrain the Colonial Government, and I hope the Government will not take a step which would be irrevocable and involve enormous responsibility, for which they would have to account on a future day. Under the circumstances, I will not trouble the House to go to a Division.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. DE LISLE (Leicestershire, Mid): I propose to move the reduction of the salary of the Colonial Secretary in reference to Singapore, and, as I understand the hon. Member (Sir T. Sutherland) has some remarks to make, I shall reserve my observations until later.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £300, part of the Salary of the Secretary of State."—(*Mr. De Lisle.*)

*(6.38.) SIR T. SUTHERLAND (Greenock): In rising to support the Motion of my hon. Friend, I may state that the question to which I am about to call attention was under discussion on the occasion of the Debate on the Budget. The late hon. Member for the City of London then brought the matter before the House, but since then there have been voluminous Papers circulated among the Members of the House, and various Petitions have been brought under our notice. I believe that, had they been perused, they would have shown impartial minds that Her Majesty's Government, in dealing with the question of the military contribution in reference to these colonies, have been, I may say, guilty of high-handed and arbitrary conduct, and have strained to the very utmost the constitutional powers which they have in those colonies. My remarks have reference not only to Singapore, but to Hong Kong and Ceylon. I think the experience of hon. Members will bear me out in stating that in every instance in which a Crown Colony has been taken possession of by this country it was for strategical and Imperial purposes, and for the defence of the sea-borne commerce of this country, which is of vital consequence. Take the Colony of Hong Kong. It is a barren rock taken possession of under the Treaty of Nankin for certain specific purposes with regard to Her Majesty's ships. Or, take a more recent example—Cyprus. In the words of Lord Beaconsfield, it is a place of arms for the Imperial requirements of this country. It is notorious that when a colony was no longer required for Imperial purposes it has been abandoned, Heligoland furnishing a recent illustration. For a long succession of years this country has paid large sums for the purpose of maintaining many of these colonies in existence under the British Flag. Even at the present moment, in the Estimates before the House, we are called upon to vote large sums for the purpose of maintaining our authority in these colonies, such as Ceylon, the Straits Settlements, and Hong Kong. I venture to say that those colonies have long since emancipated themselves from the need of any financial dependence upon this country. They have become great provinces of which every one who has knowledge of them is proud. We know well that the centre of gravity of the trade of this country is gradually being shifted eastwards owing to the protectionist tariffs in western countries and the opening of the Suez Canal; and if Singapore were held by another Power we would soon realise the vast Imperial consequence of the possession of that place. If Singapore or Ceylon were to become the possession of any other Power than

Great Britain the loss to the commerce of this country on a trade amounting to many millions would not only be very great, but the fact of those colonies passing from us would be a menace to our Australian and Indian Empire. But seeing that those colonies of which I am speaking have become and still remain Imperial possessions of the greatest possible value to us, that they are necessary to the protection of the seaborne commerce of that part of the world, and to ensure our communications with India and Australia; seeing also that they have been enabled to achieve financial independence as far as this country is concerned, and have required no assistance from this country for many years; seeing that by their enterprise they have contributed wealth directly and indirectly to this country, surely under these circumstances they are entitled to more than ordinary consideration on all questions affecting their Government and prosperity from the people of this country. But, Sir, these colonies are unfortunately, in some respects, not in a position to demand that consideration to which I hold they are entitled. They are Crown Colonies without representative Institutions of any kind whatever, and, though financially independent of this country, they are completely at the mercy of the Downing Street officials and the Government, who impose whatever laws and taxes they choose. It is true that there are Legislative Councils, but the members of those bodies are overruled by the official members, who are compelled to obey whatever mandates are sent from home. On a former occasion, when this subject was before the House, I stated a case within my own experience, in which I had been enabled to prevail upon an official member of the Council to actually vote against the Government. But, Sir, that act was followed by a Despatch from the Home Government informing the recalcitrant member that it would be as much as his place was worth if ever he attempted to take an independent attitude of that kind again. This happened, I regret to say, not under a Conservative, but under a Liberal Government. I hold that it is somewhat difficult to imagine a Government of this country in the present day bringing in a Bill to impose a tax, however slight, on an independent colony. As far as I am aware, there is nothing to hinder the Government from bringing in a Bill to tax Ceylon, Singapore, or Hong Kong, but this policy does not appertain to the present day. It belonged to a system which was in vogue 100 years ago, and which even then met with comparatively little success. It is almost impossible to suppose, for example, that if the maintenance of the *status quo* in Newfoundland were to be productive of enormous cost in this country that this or any other Government would bring in a Bill to tax Newfoundland for the purpose of meeting that expenditure. I may remind the House that some of those who four or five years ago voted against Irish Home Rule were mainly induced to do so by the fact that the system was one of taxation without representation. I may be told that morally there is a difference between the taxation of a colony which possesses what is called self-government and the taxation of a Crown Colony which possesses no self-government. I reply, however, that there is, morally, no difference at all. I say that the Government have no more right to force taxation on a Crown Colony than it has to force taxation on a self-governing colony, so far as the moral principle of government is concerned. But in this matter the Government have done worse—they have introduced a measure such as I have described as impossible. They have, by a stroke of the pen, imposed enormous financial burdens on those colonies against the protest of the Governor and of every member of the Legislative Council, whether official or non-official. In taking this action the Government have surely been guilty of an act of injustice and of imposing a species of coercion not necessary in the interests of law or of good government, but solely caused by a desire to enable the Chancellor of the Exchequer to obtain as satisfactory a Budget as possible. I, of course, sympathise with the Chancellor of the Exchequer in his desire to obtain as satisfactory a Budget as possible. He is a man who has many claims upon him, and between free education on the one hand and the claims of Local Government on the other, one would hardly be surprised to hear that he is sometimes driven to his wits' end to know how to

obtain the requisite balance. Accordingly, we find that the right hon. Gentleman and his myrmidons are always on the *qui vive* to pounce whenever they can do so upon any new source of revenue. It sometimes happens that those sources of revenue which ought to be available are not available. We have, for example, a proposal which I considered a fair proposal, that a Van and Wheel Tax should be imposed; but it was impossible to carry that proposition, because it met with opposition everywhere. After that the Chancellor of the Exchequer and the Government looked round to see where they could safely obtain money without that amount of opposition. They looked round to see whether there were any of the Crown Colonies on which they might judiciously impose further taxation, and they found that the finances of Ceylon, Singapore, and Hong Kong were such as to enable them to impose this additional taxation. By acting as they have done in regard to this matter they acted in exactly the same way as the most absolute Monarchy that ever existed might have done, for they sent out positive orders to force the Bills for the subventions through the Legislative Council, no matter what opposition was offered; and I challenge the Government to defend such conduct as worthy treatment on the part of a great country like this towards its dependencies. Now, Sir, I wish to say a few words particularly in reference to Singapore or the Straits Settlements, because that is a case which comes before us very fully in the Blue Book which lies on the Table of the House. The history of the matter is briefly this: Singapore at one time formed a portion of the dominions of the East India Company, but at the time of the Mutiny the Government of the colony was handed over by consent to the Colonial Office. At the time this change was made a bargain was in force to the effect that Singapore should bear to the full extent the cost of its military expenditure, which amounted to something like £50,000. Singapore undertook to bear that military expenditure, but it should be noted that the agreement entered into at that time had reference entirely to the existing conditions of military expenditure, and had no reference whatever to any future conditions. I think it is impossible to imagine that if for some reason, which might appear to themselves to be a good one, the Imperial Government found it necessary to make an expenditure of £1,000,000 or £2,000,000 a year in connection with the Straits Settlements, such a tax ought to be borne by that colony in virtue of such an agreement. I say that such an idea is absolutely preposterous. What the Colony of Singapore agreed to was that it should bear its own military expenditure, which, as I have said, was £50,000 a year, and it agreed to nothing else. Besides, it is shown by the Despatch addressed by Lord Knutsford to the Governor of Singapore that an entirely different colouring is attempted to be given to this transaction. It is there attempted to be shown that whatever the conditions of the military expenditure might be at any time the bargain made 35 years ago was binding; and that if the Home Government for reasons satisfactory to themselves chose to expend £500,000 or £1,000,000 a year for the defence of the Straits Settlements, Singapore was bound to contribute that amount. Reasoning of this kind hardly requires to be contradicted. It may be highly ingenious, but it is by no means ingenuous. Her Majesty's Government have repeatedly revised the arrangements for the apportionment of Imperial obligations with regard to military expenditure, and they did so notably in 1879, when there were apprehensions of a war with Russia, for then, at their own cost, they embarked on considerable expenditure in providing fortifications for this settlement. Singapore has continued willingly to pay £50,000 annually up to the present; there have, it is true, been some minor squabbles with the home authorities, and there has been the miserable dispute as to the question of exchange on the silver remittances sent to this country from Singapore. So long as silver was above par the Government graciously accepted payment in silver, and never thought of crediting the colony with the difference in exchange, but so soon as silver became depreciated then they set up a counter claim, without taking cognisance of the profits they had previously made. But that has nothing to do with the main

question as to whether the arrangements under which the Straits Settlements paid £50,000 a year to the Home Government were satisfactory. A great change occurred in this matter some years since in consequence of the appointment of a Royal Commission by Lord Carnarvon, and the Report of that Commission to the War Office. It was at that time found that the position which Singapore occupied with reference to India, China, and Australia was of such vast importance and significance that except with perhaps one solitary exception—the Cape of Good Hope—no other coaling station within the whole range of British possessions required to be so carefully looked after, and it was consequently pressed upon the Government by the Royal Commission and by the voice of the country that great and important works ought to be undertaken there. As these involved very heavy outlay, the Government of the day naturally enough invited the colony to consider what proportion of the expenditure it would bear. In this matter, I think it will be admitted by all who have perused the Blue Book, Singapore behaved with singular liberality, for it at once offered itself to construct the whole fortifications at a cost of £81,000. The Government had certainly no intention of claiming from Singapore more than it was willing to pay. Remember, the question of the fortification of our colonies is Imperial and not local. Singapore does not require the fortifications for her own use, and this House has never yet sanctioned the idea that a colony shall be called upon, whether it likes it or not, to make good Imperial expenditure undertaken at the instance of a Royal Commission. If it were necessary to drive this point home more conclusively it could be done by citing the cases of Hong Kong and Ceylon, for our vast possessions there are not in the slightest iota defended by the fortifications at the Singapore coaling station. Nevertheless, Singapore willingly undertook the burden of erecting the fortifications recommended by Lord Carnarvon's Commission, although the cost was £81,000. But the authorities at Downing Street are always on the *qui vive*, and finding that Singapore was financially solvent, raised the annual contribution from £50,000 to £100,000, and, in addition, required the colony to build barracks at a further expense of £60,000. Surely that is a high-handed proceeding, and treating with contempt a colony entitled to be treated with consideration. The colony, be it remembered, did not object to constructing the fortifications at a cost of £81,000; it did not object to building barracks at an expenditure of £60,000; but it did demur to pay more than two-thirds of the annual cost of the garrison, estimated at nearly £140,000, because it felt that that was an unfair proportion. I think every hon. Member acquainted with the facts will feel that they were justified in protesting against this charge. They also asked for an assurance of finality; they wished to be told that the question of the amount of military contribution would be definitely closed. The colony, I repeat, acted fairly and liberally, while the Government, in declining their proposal, accentuated the bitterness of the situation by insisting on the payment of £100,000 a year, and by refusing to finally settle the matter, and leaving it open to themselves to revise the arrangement in the course of the next two or three years. In other words, they said to Singapore:—"As you are only a Crown Colony, and have no representatives, we will, if we find you in a state of sufficient solvency, put our hands into your pockets to any extent we choose." I do not know what may be the feelings of those who adopt such an attitude to the people who maintain the glory and bear the burdens of this Empire in these inhospitable climes; but I, for one, taking as I do a pride and interest in the great achievements of these colonists, do not envy those feelings. There are grave consequences following upon this action of the Home Government. During the last two or three years it has been found absolutely impossible for this colony to frame an adequate Budget for its public works, because it was aware that it might be pounced upon at any time by the Home Government for a larger annual contribution. There must, consequently, be something approaching a paralysis in the public works of the colony. Such a condition of affairs is utterly unjust and inequitable, and inconsistent with the relations which ought to exist between a great country and its dependencies. I

hope that I have not spoken on this question more strongly than I ought to. I have no personal interest whatever in any of these colonies; my only interest is that of personal association and a feeling of pride in the great work which has been undertaken and accomplished there. Now, I wish to make an appeal to the Government to deal with this matter, if possible, in some other way. I fear that in the present state of affairs it is impossible for the Government to retreat from the position it has taken up by calling on the colony to erect the barracks and by doubling its annual contribution. The claim made by the Government is extravagant and unjust no doubt, but I am more anxious as to the future than as to the present position, for unless a satisfactory solution is arrived at, the good feeling which has hitherto existed will disappear, and the difficulty will crop up again and again, and ultimately the Government may be defeated upon it. Three courses are open to the Government. They might decide that the present military contribution shall not be exceeded; or they might adopt the principle of fixing the contribution in proportion to the revenue of the colonies, allowing it to rise or fall proportionately with the revenue. I think either of those proposals would be deemed by the colony as not unreasonable, although I have no authority to speak in the name of the colonists. My third suggestion is one which I am sure the colony would heartily support, and that is that the whole question of military contributions should next Session be referred to a Select Committee to determine how, in what ratio, and in what manner they should be paid. We have heard a good deal during the last year or two as to a Committee to discuss the financial relations of England, Scotland, and Ireland; and I hope it will not be deemed unreasonable to suggest the adoption of a similar course with regard to a question which has raised angry and embittered feelings in the colonies, and has excited the opposition alike of official and unofficial members of the Council.

*(7.25.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): The question raised by my hon. Friend is one of very great importance, and one which I fear cannot be adequately discussed in Committee on a Vote of this character. However, recognising the gravity of the subject, I wish to say a few words upon it. I cordially support the last suggestion of the hon. Gentleman, that the Government should consent to refer to a Select Committee this question of the apportionment between the Home Country and the Colonies of the cost of Imperial defence, for nothing could be more unsatisfactory than to continue to act on the principles now in force. I shall confine my remarks to the cases of Singapore and Hong Kong in dealing with this question, for I think my hon. Friend somewhat marred the force of his case when he talked about the injustice of Penang and Malacca being called upon to bear taxation for fortifications and garrisons in Singapore, from which they derive no protection. On the same principle he might have taken a case nearer home, and cried out against the injustice of calling upon his own constituents in Scotland to contribute towards the cost of the fortifications at Portsmouth. Therefore, my hon. Friend has introduced an argument which will not hold water. When the words "Imperial Government" are used—and my hon. Friend frequently used them—the Committee are apt to forget that the Imperial Government has not the resources of the Empire at its back. Therefore, when we are talking of the Imperial Government in relation to matters like this we are referring to the taxpayers of the United Kingdom. If the Imperial Government were able to deal with resources furnished by the whole Empire for discharging a common obligation, it would be very different; but under the present arrangement you have practically to come down only on the taxpayers of the United Kingdom (Singapore, Hong Kong, Mauritius, and Ceylon) in order to meet the cost of defending the Empire in those seas. This discussion has been raised on a Motion to reduce the salary of the Secretary of State for the Colonies. But is the right hon. Gentleman at all responsible for the unfortunate series of events which have culminated in these protests? I say that this present state of affairs is the full fruit of seed sown in the blindness of the Governments which immediately preceded the present Government. Singapore,

as we all know, is a point of strategical importance; but arguments may be pushed a great deal too far in regard to what that means, for, after all, it is only valuable to the British Empire so long as the Empire retains supremacy at sea. It would be absolutely useless to us if we lost that supremacy. When the hon. Gentleman asks what would happen if Germany, France, or any other foreign Power got possession of Singapore, my reply is that it would be a very temporary inconvenience if we had the command of the sea, but that the loss of the place would not matter so much if we had not that command. We must not, therefore, push arguments too far. What is most valuable and essential is the water area around Singapore. In that area the whole Empire is concerned. What the hon. Member proposes to do is to take off from Singapore a certain burden and put it on the taxpayers of this country; but the other portions of the Empire have really greater interest in the water area around Singapore than the Mother Country, and therefore, even on his own showing, an equitable arrangement, and the only equitable arrangement that will stand the test of examination on any fixed principle is some system by which the whole Empire shall share proportionably in the cost of the defence of that area. Following the history of the question there came the Report of the Royal Commission on the importance of improving the defences of Singapore; and I know from personal communication with that colony that for years previously there was great desire among the colonists for defensive works, and that the Government were being constantly pressed to create them. At last there was an arrangement by which the colony was to bear the cost of the works, and the Imperial Government to provide the armaments, and the estimate on which that arrangement was based was that the works would cost £75,000 and the armaments only £49,000. But it will be found from the Despatch that while afterwards the colony had to pay £5,000, or 8 per cent. more than the amount estimated, for works, the Mother Country had to pay £73,000 more, and did pay it. This extra expenditure, amounting to 146 per cent., was incurred at the request of the colony. [An hon. Member: No, no.] If the hon. Member will turn to page 1 of the Correspondence he will see that Lord Knutsford, in a letter dated 13th December, says—

> "The armament originally proposed was to have cost £49,000, but this sum is far below the actual cost of the heavier armament, which at the request of the colony will have to be supplied."

Therefore, at the request of the colony, we so far exceeded our obligation as to spend £73,000 more than was estimated. I should like the Under Secretary for the Colonies, or the Secretary for War, to explain explicitly what the expression "at the request of the colony" means. Was it an official request? Was it made in response to expressions of opinion at public meetings, or how does it come about that the taxpayers of the United Kingdom have to pay, at the request of a colony, £73,000 more for armaments than was originally estimated? Well, the arrangement with regard to the works and armaments was carried out, but the late Government never seemed for a moment to have thought that, having the works and armaments, a garrison was required. It was simply a repetition of their policy with regard to the Navy. They provided extra ships, but forgot to supply them with guns and ammunition. We all know it is a most dangerous thing to make strong places with strong armament and weak garrisons. £200,000 having been spent on works and armaments for the defence of Singapore, then the question arose, "What is to be done about the garrison?" The present Government stepped in and called on the colony to provide a further sum of £100,000, and I really do not see what else they could do. Nevertheless, I think the colonists have a real grievance in the matter, though they must put the saddle on the right horse. The fault does not lie with Her Majesty's Government; it arises from the fact that we have no regular system under which to provide for the general defence of the Empire out of resources drawn proportionably from all its parts, and so long as the existing state of things in this respect remains injustice must be done and dissatisfaction created. To show the inequality and injustice that now exists I will give a few figures.

Singapore is the centre of a circle which, with a radius equal to its distance from Aden, embraces a large number of British possessions, including India, whose aggregate sea trade amounts to £300,000,000 a year, and whose aggregate revenue is £85,000,000 a year, or nearly equal to that of the United Kingdom. If we exclude India the aggregate sea trade of the other British possessions within the circle is £181,000,000 a year, and the revenue £29,000,000. Four places in this circle—the Mauritius, Hong Kong, the Straits, and Ceylon—with a sea trade of £54,500,000 a year only, and a revenue of £5,000,000 only, give us over £250,000 a year in the shape of military contribution; while all the other places, with an aggregate revenue of £24,500,000, do not contribute a farthing; or, in other words, while we extract military contribution amounting to nearly £250,000 from four places having an aggregate sea trade of only £54,500,000 a year, we do not receive a farthing by way of military contribution from the other countries within the area having a sea trade of over £126,500,000. It is not fair to lay the blame for this inequality on the Government, because it is the effect of a false and vicious system that has grown up, and that in my judgment is imperilling the Empire. The time has come to deal with the matter, and, in my opinion, the only way of dealing with it is to have a Council of Imperial Defence. On that Council both the Mother Country and her dependencies should be represented, and it should be appointed to make arrangements for a fixed time. If such a suggestion is acted upon, and taken with the recommendations of Mr. Ismay's suggestion attached to the Report of the Hartington Commission, I believe we will be able to arrive at a system by which a more equitable arrangement can be made throughout the Empire for what is a common purpose and a common interest. I trust, therefore, that one result of this Debate will be to turn the attention of the Government seriously and earnestly to the question.

(7.48.) MR. BRYCE: I cannot help thinking that the question now under consideration is one of too large and important a character to be adequately dealt with on the present occasion and in so thin a House; for it is one the settlement of which will tax all the resources of statesmanship. With regard to the particular point relating to Singapore, I presume that all are agreed that the colony ought to make some contribution to the State; and the next point for consideration is the action of the Government in largely increasing the contribution. Singapore has no doubt paid a great deal, and has paid for other colonies. What is said, and what I believe to be correct, is that the present demand is not only a large increase on what was hitherto demanded, but that it is a much larger demand than the colony had any reason to expect, considering the assurances given to them on previous occasions. They were led to understand that the demand would be of moderate dimensions, and as a result of what has taken place they feel there is no finality. Secondly, they allege that their local financial arrangements will be seriously disturbed, and that they will be unable to deal with public works and sanitary improvements and other things which the colony require if they have to meet this increased demand. Then the colonists allege that the trade of Singapore is to a large extent a mere call trade which contributes nothing to the wealth of the colony; that though the number of vessels which touch is very large, it does not tend to the profit of Singapore. In that case the tonnage touching at Singapore is not a measure of the support which Singapore should give to a matter of this kind. Of course, it will be said that they have naval protection, but I think that the colony feel acutely having no voice in the amount of contribution. Of course, I am not here to contend that it is possible to leave it to such a colony to determine a matter of this kind. The Government at home must be the determining authority, but at the same time it is desirable to use the controlling power in the most conciliatory manner. There seems to be some uneasiness at the large increase in the demand, and I gather that there is some little sense of irritation which it will be desirable to remove. Singapore has not been backward hitherto in trying to do its duty. There are other colonies which do not pay anything at all; therefore, without making the matter an attack on the Government, I think that

we may hope that they will be as indulgent as they can, and not increase the burden upon that colony indefinitely.

(7.54.) MR. E. STANHOPE: The hon. Member who has just sat down has avoided the vague generalities and the violent language of the hon. Member for Greenock, and has stated in temperate language the case of Singapore. He seems to desire to make Singapore a typical case, and I am perfectly ready to meet him on that ground, only I think if the hon. Member wanted to carry conviction to the minds of the Committee he ought to have descended to particulars. He ought to have proved to us by arguments and figures that the contributions now asked are in excess of the capacities of the colonies. With the permission of the Committee, I wish to speak not as the representative of the War Office, but the representative of the Government as a whole. It is perfectly well understood how the Government dealt with this matter. There were strong Committees inquiring into this question, and they made their Reports. Not satisfied with this, the Government for themselves examined into every one of these Reports. I am not going into a great deal of the speech of the Member for Greenock. No one is likely to accuse me of any want of sympathy with the colonies. I have the deepest possible feeling for the colonies, and I should not like to press anything which I do not believe to be just to the colonies. But in recent years circumstances have changed. The cost of defence has greatly increased all over the world. It costs more now than formerly to defend a harbour. The armament is very much more expensive than formerly, and it is natural that the Government should think that the time has come for examining the amount of the contributions of the colonies with the view of increasing them where it is just and decreasing them where they appear to press heavily on any colony. The hon. Member for Greenock based his whole case on what he called justice to the colonies, but there is also justice to the taxpayer of the United Kingdom, and it is not right that, without careful examination, the taxpayer should bear the whole cost, or even a large portion of it, without asking the colonies to bear a reasonable share of it. I do not think the Member of Greenock would go down to his constituency and tell his constituents that he was going to ask them to pay additional taxation in order to relieve the colonies of, what I shall be able to show are the reasonable demands made upon them. Now, we have not been able to lay down any general rule which can be applied to all the colonies in the matter of the garrisons. We feel that each case must be judged upon its merits, and we are bound to judge the capacity of a particular colony. We have also to consider the amount of Imperial interest involved. I come, first, to the case of Singapore, and if I dwell longer upon that it is because the Member for Greenock has selected it as a typical case. It has been already stated that the colony of the Straits Settlements urged the transfer of the colony from India to the Imperial Government on the ground of the charges imposed upon them for the cost of their defence. An agitation took place and lasted for years, this country absolutely refusing to allow the transfer, except upon the guarantee that no further charge should fall upon the Imperial Government. That was laid down as an absolute condition of transfer, and it was accepted by the Colony in 1866, when the conditions of transfer were laid down, and providing that no charge should result to the Imperial Exchequer in consequence of the transfer of the Straits Settlements to the Imperial Government. This understanding was again affirmed in 1873, the Straits Settlements accepting the agreement with full knowledge of their position. And in the result the colony has had the full advantage of it. Upon the old footing the charges they would have had to pay to the Indian Government would be about £236,000, instead of the £100,000 now asked. The case, then, stands thus, speaking generally. They made a bargain with the Imperial Government, and the bargain has turned out very much better than they had any reason to expect, and now they turn round and wish to avoid payment of a fair and reasonable amount of expenditure. Is it now to be contended that they are not to bear their fair share of the expenses of their defence, notwithstanding that they deliberately entered into an agreement to do so? Of course, I admit that if the present charges imposed upon them a heavier proportionate

burden than was the case in 1866, they would have reasonable grounds for making a complaint. But is that the case? Let us examine the figures. In 1858, when the transfer of the Straits Settlements to the Imperial Government was first mooted, the revenue of the Colony was £132,000 per annum, while the military and marine charges which they had to pay amounted to £87,000 per annum, being at the rate of 66 per cent. of their total revenue. In 1866, their revenue had risen to £260,000 per annum, while the charges had fallen to £70,000, or 27 per cent. of revenue. As years went on the proportion continued to fall, and in 1890 the revenue had increased to £650,000, and the charge we impose now is £100,000, or 15½ per cent. of the revenue. So it will be seen, that so far from the proportion of charges to revenue being increased, it is very much smaller and less than a quarter of what it was when the question of transfer was first mooted, and not much more than half what it was when the transfer was made. I have also to point out that the Straits Settlements, while paying only this proportion towards the defence of the colony, pays nothing towards the cost of the Navy, and when the contribution was increased two years ago, a part of the settlement was that the charges against the Straits Settlements, which had accumulated in the course of years, and which the Imperial Government might have called upon them to pay, were remitted to the extent of £82,000. Their present contribution, instead of being comparatively greater than it was, has proportionately largely decreased. The charges amount to only 3s. 6d. per head of the population of the colony, while in the United Kingdom the corresponding charges amount to 16s. per head. [An hon. MEMBER: More.] In these circumstances, it cannot be said that they are being asked to pay more than is fair and reasonable. Two or three minor questions have been raised in connection with this subject. In the first place it is said that the charges having been fixed at the time of the transfer, therefore should not be increased. Nothing can be clearer, however, than the two conditions that were laid down at the time of the transfer, one being that no additional burden should be thrown upon the Imperial Exchequer by reason of the transfer, and the second being that the Government of the day made it a condition that the charges should be increased or decreased from time to time as circumstances might require. The colony, therefore, had ample notice that the contribution which they agreed to pay might be increased from time to time. A question has also been raised as to the charges for the fortifications. I do not think it is difficult to show that the arrangement entered into in 1884 in regard to fortifications was altogether favourable to the colony according to the understanding of 1866. What the colony was to do was to pay the whole of the cost, but instead of requiring them to do that, what the Imperial Government did was to say "find the necessary work and we will provide the armaments." The Imperial Government undertook not only a very large proportion of the whole cost of the fortifications at the time, but as it subsequently turned out, found a much larger proportion than was originally intended, more effective and heavier guns being provided than were suggested in the first instance. I do not carry in my head the terms of the Despatch, but I know that the guns provided were more effective to meet the requirements of the colony that was at first contemplated. Malacca and Penang share in the advantages of the defensive works; it is ridiculous to say this is not the case, because these places are not actually fortified. In every country you cannot fortify every possible place, but they all share in the general defence, and should pay a portion of the contribution towards the expenditure.

*SIR T. SUTHERLAND: What I said was that Malacca and Penang were in no way advantaged by the fortifications at Singapore.

MR. E. STANHOPE: The hon. Member, I think, went beyond that; but, however, I need not make it a point of controversy.

SIR G. CAMPBELL: Can the right hon. Gentleman say what is the strength of the garrison at Singapore, and the cost, both effective and non-effective charges?

MR. E. STANHOPE: That, I think, is a question to raise on the Military

Vote. The garrisons in the Straits Settlements amount to 1,360 men.

SIR G. CAMPBELL: And the approximate cost?

MR. E. STANHOPE: At the moment I cannot give that.

MR. DE LISLE: I think £66 per head.

MR. E. STANHOPE: Then passing to Hong Kong, the question is a very simple one. Hong Kong, according to the agreement of 1863, was to pay a contribution of £20,000 per annum, but in that case, again, the condition was made that the sum so fixed was to be subject to any revision that the altered circumstances of the colony might require. Nothing can be clearer than the condition laid down in the Duke of Newcastle's Despatch, that, in fixing £20,000, the desire was not to press too heavily at first on the Colonial Revenue, and thus probably to retard works of great public utility, and it was further laid down that the amount of the contribution might be raised to a higher rate at a future period. Therefore in that case, again, the colony had full notice when the agreement was entered into that the amount of the contribution might be increased. There can be no doubt that Hong Kong is well able to bear the burden, because the amount of the contribution has been reduced from 16½ per cent. of the revenue—the proportion it bore when the arrangement was made—to 12 per cent. in 1890. The cost of the garrison to the Imperial Exchequer at the present moment is £170,000 per annum, and of this sum the colony is only asked to pay £40,000. This cannot be called an unreasonable proportion, taking into account what has been said by the hon. Member for Greenock (Sir T. Sutherland) as to garrison being maintained for Imperial purposes. As to what has been said about the strength of the garrison, I may explain that, to relieve the strain on the European Army, it is proposed that the 2nd Battalion maintained at Hong Kong shall consist of Asiatic troops. We are raising a battalion in India, and as soon as it is raised it will be sent for the garrison of Hong Kong. The arrangement is an economical one, of considerable advantage to this country, and one which I should like to see carried a good deal further than the case of Hong Kong. I made a comparison of cost per head in the case of Singapore, and I may make a comparison of the contribution from Hong Kong with the proportion in other countries, not great military Powers, paid by the population towards the cost of defence. Hong Kong contributes from 9 to 12 per cent. of its income to defence, the Netherlands 25 per cent., Belgium about 14½ per cent., Portugal 19 per cent., Sweden 32 per cent., Greece 24 per cent., and Switzerland 34 per cent. Put in another form, it may be said that each inhabitant of Hong Kong contributes towards defence 1s. 10d., each inhabitant of the Netherlands 13s. 7d., Belgium 6s. 7d., Portugal 7s. 2d., Sweden 6s. 6d., and Switzerland 5s. 1½d. Considering, therefore, the large amount which the Imperial Government has to pay towards providing an adequate garrison in Hong Kong, I do not think that the contribution of the colony can be regarded as unreasonably large. I might go further in comparison, but I rest the case here. I hope that I have made out to the satisfaction of the Committee that the contribution we are now asking the colony to pay is one, judged by every fair and reasonable test, which we may fairly call upon the colony to contribute. My hon. Friend the Member for Bow and Bromley has undoubtedly raised a large and important question in urging that these great questions connected with Imperial defence should be looked at as a whole between this country and the colonies. With his view I have considerable sympathy, and I should be exceedingly glad to do anything that lies in my power to contribute towards that result. I may remind the Committee that a great deal has been achieved in that direction, and especially by the valuable Report made by Lord Carnarvon's Commission. The recommendations suggested by that Commission have now been practically carried out, while other places have also been defended in addition to those specified in that Report. The great omission then made of not considering either the question of garrisons or that of barracks has since been dealt with by myself, and when those two subjects have been completely carried out, the Government will then have dealt with all that side of Imperial defence touched

upon by Lord Carnarvon's Commission. At the Imperial Conference the list of ports was extended so as to include Table Bay and certain Australian ports, while the Government have been able to induce the Australian Governments to join with the Home Government in the cost of naval defence. The question, however, is one of enormous difficulty. The case of the Cape has been referred to. I think that the Cape ought to contribute more largely than it does, but the House of Commons cannot compel the Cape to make a larger contribution. I believe the time will not be far distant when the Cape may be induced to look upon this question in a different light, and that it will be able to see, not only in justice to the taxpayers of the country, but in its own interest, that a larger contribution ought to be made towards the defence of that important station. There are also other cases to be dealt with, and if I can do anything in this direction, I assure the Committee that it will be done.

*(8.23) MR. DE LISLE: I have listened with great attention to the defence which the right hon. Gentleman with his usual great ability has made, but I am not convinced that the facts are such as to justify the Government in the conclusions at which they have arrived. The essential grievance complained of is that the Government have not merely put pressure on the officials at Singapore, but have compelled them to vote against their convictions and belief, and have deliberately violated an honourable understanding made between the colony and the Colonial Office. A Despatch from the Governor, March 21, 1890, points out that the course followed had brought about strained relations between the Government and the Legislative Council. Now, this is a very serious matter. The Governor goes on to say, however, that his instructions were clear, and he had to require each member of the Legislative Council to support the proposals of Her Majesty's Government. Now, in the first place, I protest against this arbitrary exercise of authority which has led to these strained relations. I am not proposing any change in the form of government, or to make it possible for the Council to resist the wishes of the Imperial Government, but I protest against the exercise of authority being carried to such an extent. I had the honour of serving the late Governor in the Settlement, and came into intimate acquaintance with the whole affair. The understanding in the colony was clear and distinct, that if the colony bore the expense of fortifications and barracks the existing conditions with regard to the maintenance of the garrison should not be altered. There is a Treasury Minute I may recall to the memory of the Chancellor of the Exchequer, for I think he is the real offender in this matter, looking naturally to the interest of the British taxpayer. We are grateful to him on behalf of our constituents, though, I am sure, speaking for my own constituents, they do not want their pockets to be saved at the sacrifice of justice to a colony. This Treasury Minute of June 2, 1866, was written to Mr. Cardwell at the time when the original arrangement with the colony was made. It states with respect to barrack accommodation that no charge ought to fall on the Straits Settlements, the troops being maintained for Imperial purposes; but in defiance of that utterance, the Government have imposed on the colony an extra charge of £60,000 for barracks, and have doubled the charge for military contribution. I may also call attention to a letter of Lord Kimberley's to the War Office in 1871, in which an objection was raised to making the colony liable for an uncertain charge over which they would have no power. I am not prepared to go so far as to say the colony should not be liable to pay a sum over which they have no power; but when you have the whole Colonial Ministry protesting against the charge as unjust, under such circumstances I think the Imperial authority ought not to be exercised. What it comes to is this, that what the Colonial Office thought unfair in 1871 is now pressed upon the colony as a liberal arrangement. I am not so much blaming the Colonial Office, for anyone who reads the Despatches will see that the sympathy of the Colonial Office is with the colony, but the War Office and the Treasury are on the other side, and they have compelled the Colonial Office to break faith with the Settlements. The arrangement I refer to actuated Major McCullum, the Colonial Engineer, when he made his Report to the Governor in 1872, when it was well recognised that for expenditure for Im-

perial purposes the Home Government should be responsible and not the colony. Now, with regard to the defence the right hon. Gentleman made of the conditions under which the transfer of Singapore from the Indian Government to the Colonial Office was effected, I would point out the complete reply of Major McCullum in his memorandum—

"Much stress in justification of the large demand now made is evidently laid by Her Majesty's Government on the fact that the transfer of the Straits Settlements from the Government of India to the Imperial Government was only sanctioned on the distinct understanding that the revenues of the colony should bear all the cost of its military as well as its civil requirements. This was only natural, for at the time, namely, in 1866, the trade of the Straits Settlements was with India; its profits and losses mainly affected India, and the mother country through India; and it was India which, though its monopoly of the trade with China had been terminated by Act of Parliament in 1834, still specially enjoyed the advantages of that trade. In 1866 it may not have been unreasonable to call on the colony to provide the cost of its own protection if it wished to sever its connection with India, and it did so by paying, not—it is important to notice—the cost of a garrison for Singapore, which is now alone under consideration, but the cost of troops quartered in each of the Settlements—in Singapore, in Penang, and in Malacca. Some troops were, for Imperial purposes, to be stationed in Singapore, and the cost of their maintenance and of their barracks was admittedly an Imperial charge, to be borne by the Imperial Exchequer. Her Majesty's Government recognised at the time of the transfer that there were Imperial obligations in regard to such military expenditure, and the colony was, to that extent, not called upon to share in them."

What, therefore, may have been a fair arrangement in 1886, has since been altered by the creation of the Suez Canal, and there is no real ground for raising the contributions of the colony to the armaments in the fact that the trade of the colony has increased. The Imperial trade which passes through the Straits Settlements has increased to £41,000,000, while that of Singapore has only increased to £14,000,000. On this point Major McCullum says—

"The opening of that canal"—referring to the Suez Canal—"has created such a vast Imperial trade that it is of vital importance to the United Kingdom that it should be adequately protected. It is in the interests of British trade, therefore, that the harbour of Singapore has been defended."

Moreover, I am certain that there must be in existence confidential Despatches between the Home and Colonial Authorities, which have laid down in terms very clear that all local military requirements should be paid for by the colony, and that the colony should pay a fair share towards Imperial defence, but that all demands that arose on Imperial grounds should be paid out of Imperial funds. The fact that the possession of Singapore is of prominent importance to us has not been disputed to-night. We find in the Memorandum of the Inspector General of Fortifications in 1884 these words—

"The possession of Singapore keeps open to our fleets and commerce the Straits of Malacca and the highway from India to the farther East and Australia."

Therefore, from that point of view, I will only say that if we come to allot the relative amounts that ought to fall on the different parts of the Empire we shall find that Australia ought to pay a considerable share of the cost of the maintenance of the defences of Singapore. I would now refer to the contention of the Secretary of State for War that it was the colony who asked for the larger armaments. This is not the case. The Governor and the officials, in the interests of the Empire at large, represented that the armaments provided were not in any way adequate, but the colony itself had nothing to say in the matter. When the Government undertook to pay for the armament they implied that the armament was to be adequate and efficient for the purposes in view. The Colonial Engineer, Major McCullum, has answered this point completely, and has made a proposal which would, if carried out, satisfy the demands of the colonists and be just to the interests of the British taxpayer. I have now gone over most of the ground, and, in conclusion, I would only refer to a proposal of Major McCullum, the Colonial Engineer, in his very able Report and reply contained in the Despatch to the Colonial Secretary—and I would here remark that, if any one desires to get to the bottom of this matter, it is only necessary to read these Despatches. The suggestion comes at the end, and I think it is well worthy of the consideration of Her Majesty's Government. If in the course of the next year or two the Government can see their way to adopt these proposals, they will go a long way to satisfy the

demands of the entire Singapore community and, at the same time, do justice to the British taxpayers—against whom I, as one of them, can have no manner of ill-feeling. He says—

"I premised this Memorandum by saying that a decision having been come to by Her Majesty's Government, there is nothing to be done but to vote the money demanded. If it be possible, however, to re-open the question, I would respectfully urge that, with the present approved garrison, the military contribution should at the outside stand at no higher figure than £70,000 per annum, not terminable in 1893, but to continue as long as the garrison is not further increased, the actual annual figure being contingent on actual annual expenditure. Considering that we have also to pay for the cost of new barracks, this, I submit, is a liberal proposal, as the Colonial contribution would then amount to about £20,000 per annum more than we have been paying during the last 17 years, whilst the Imperial Government would really be contributing but a comparatively small sum towards their enhanced Imperial obligations. By paying such a large sum as £70,000, it cannot be said that we benefit by our connection with the Empire without sharing its responsibilities."

There is another consideration which must not be forgotten, and that is, that when the existing arrangement was first entered into the three Straits Settlements were all defended. The defences were not confined to Singapore, but Penang was the stronger place of the two, and Malacca was also fortified. The defences of Penang are now almost abandoned, although the place is still used for the purpose of giving soldiers occasionally a change of air. The fortifications at Malacca, however, have been entirely abandoned. But Singapore itself is not defended. It is the harbour some two miles off which has been secured from external attack. Singapore now takes the position of a central coaling station. It is of the utmost importance for the purposes of Imperial defence, and cannot be regarded as it used to be. Another point to be considered is that, besides being the capital of the Straits Settlements, practically Singapore is the seat of the Government of the entire Malay Peninsula. The native protected States, though their revenues are larger than those of the whole of the Straits Settlements, do not contribute one penny to the defences, and I think that some scheme should be devised by which contributions from those States should be received. If that were done, and the £100,000 were equitably levied, the charge would not be so unfair as it now seems to be to the people of Singapore, Malacca, and Penang. I earnestly hope Her Majesty's Government will take this matter into consideration, and see if it is not possible to adjust a grievance which I, for one, am convinced is a real one, the reality of which I do not think any statement made to-night by Her Majesty's Minister has in any way tended to remove. (8.50.)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.20.) SIR G. CAMPBELL: I have always thought that the British taxpayer, who is compelled to pay for naval and other defences all over the world, receives a miserably inadequate return. But it does seem to me that the Secretary of State for War has made out a very fair case for the contribution of £100,000 for the Straits Colony. For my part, I should be glad to regard that colony as a typical one, and my opinion is not that the Straits Colony pays too much, but that the other colonies pay too little. While it is shown that the Straits Colony makes a tolerable approach towards paying for its own garrison in the same way as India does, we must nevertheless feel that the people of that colony have some excuse for feeling sore upon the subject, on the ground that while they are compelled to make a just contribution for defensive purposes, the other colonies do nothing of the sort. I wish the Secretary for War could only show them the prospect of something being done in other directions. I think we are in a somewhat unsatisfactory position with regard to most of our colonies. We "gas" a good deal about our possessions in every part of the world, but at the same time we have little or no control over those possessions. At any rate, we have no such control as will relieve the pockets of the British taxpayer from the enormous burden he is compelled to undergo for the defence of those colonies. I regret that the Secretary for War has not formulated some plan for obtaining a more adequate contribution from our colonies. It has been stated with regard to the Straits Settlements—Hong Kong and Ceylon—that the British Government contribute very little towards the

revenues of those colonies. But in the case of Singapore and Hong Kong, the revenues are derived almost entirely from the duties upon opium and spirits sold to the natives. Ceylon is a large and rich island, which pays very little in the shape of taxation, but which follows what is the normal rule among the Crown Colonies by levying heavy duties on the commonest food imported for the consumption of the commonest people, and yet, at the same time, it grudges a contribution to the British Revenue for Imperial Defence. Ceylon, Singapore, and the other colonies in that part of the world are under the ægis of India, and are all equally benefited by the expenditure incurred for the defence of India. Therefore, it is not too much to suggest that in the interests of the British taxpayer all these colonies should be called upon to make, at least, similar contributions to those of the Straits Settlements; and if this were so, Singapore would have no ground of complaint.

MR. R. G. WEBSTER (St. Pancras, E.): There is no doubt that the Colony of Hong Kong derives a large portion of its revenue from opium; and if hon. Members opposite had their own way, that revenue would be taken away. With regard to Singapore, that colony undoubtedly contributes largely towards its own defence, and does this ungrudgingly. I believe it has not yet obtained all the guns that are considered necessary for defensive purposes, but we are told that they will shortly be supplied. We must remember that what is being done is not merely for the defence of the colonies *per se*, but for the defence and protection of the British trade up and down the entire coast in that quarter of the globe. It would be manifestly unjust to demand additional taxation from the Colony of Hong Kong on account of its opium revenue without, at the same time, giving it additional troops, because that source of revenue may soon be swept away. If additional troops had been sent to Hong Kong, the complaints made by that colony would not be so justifiable as they appear to be at the present moment. No doubt we have a very important trade at Hong Kong, and passing through Hong Kong, but, as I have just said, if it is necessary to call upon them for increased contributions, we ought to give increased means of defence. For my part, I shall support the Amendment of my hon. Friend.

*(9.30.) SIR E. J. REED (Cardiff): The difficulty of this question will be obvious to every fair-minded man. It is quite easy on the one side to declaim against the magnitude of the charge imposed upon Singapore, and it is equally easy on the other side to say that a large charge should be imposed in such cases, in order to relieve the British taxpayer. I naturally listened very carefully to the speech of the Minister who undertook to defend the situation; and when the Secretary for War concluded, I could not help contrasting the tone of his remarks in dealing with this protest with what it would have been had the protest come from a colony blessed with representative Government. I could not detect one word or one expression in his speech designed to alleviate or pacify the very strong feeling which undoubtedly exists in the colony, both with regard to the amount of the contribution imposed and the manner of its imposition. It would surely have been well if the Secretary for State had taken notice of one of the three propositions made by my hon. Friend the Member for Greenock. This is a question of some importance, for we know that the feeling of every one who speaks on this subject in the colony—whether official or unofficial—is adverse to the action of the Government, and therefore it would be well if some concession could be made to their views. I can hardly see the general bearing of the Secretary of State's argument. No doubt the figures he quoted were interesting and instructive. The difficulty in Singapore has arisen from two circumstances: In the first place, an extremely high charge has been imposed in a somewhat violent manner; and, in the second place, that charge is felt to be very large in comparison with like charges imposed upon other Crown Colonies. I agree with the Secretary of State that it is impossible for the British Government to do all they desire with regard to the levying of these charges; but I view with grave apprehension the tendency which now exists in this House and out of it to impose from home charges equal with our own upon our colonial people. If that were attempted in the case of the self-governing colonies, we should, I am

certain, soon lose their Imperial attachment. The Secretary of State in the figures he quoted compared the charge per head and the personal income in the colony with the military charges per head in this and other European countries, but he failed to give any figures showing the extent of the burden in our great representative colonies, which would have been a comparison far more applicable to the case. While I feel very strongly it is a bad thing to have dissatisfaction arise in the colonies, I do not desire to do anything which would have the effect of diminishing the charge upon the colonies at the expense of the taxpayers of this country. On the other hand, the most common good feeling towards our colonists would suggest that we should take all possible pains for the purpose of equalising the charges which they bear among themselves. The great grievance in this case is that the charge imposed upon Singapore is without parallel among the Crown Colonies, and that point in itself affords a ground for careful inquiry. I believe that much might be done if the question were brought under the purview of a Committee of this House. Right hon. Gentlemen opposite may not agree with that view, but I would ask them to remember that the inhabitants of this colony have for the most part lived in England, and have been accustomed to that consideration which our system of government necessarily involves. The speech of the Secretary of State to-night was not, perhaps, inappropriate to the time in which we happen to be, for it was a speech which might have been made by the greatest Emperor upon the face of the earth, and it conveyed no kind of intimation that the people of Singapore were entitled to any consideration whatever beyond the baldest discussion of the figures. I shall be glad if, before the Debate closes, something is said to show the people of Singapore that they will be treated with something like consideration by Her Majesty's Government.

*(9.40.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): I hope that before this Debate closes we shall have a few words from my right hon. Friend the Under Secretary of State for the Colonies. The Blue Book is full of interest. It shows that there was a wide divergence of opinion, not only between the colony and the Home Government, but in the Cabinet itself. There was a difference of opinion also equally marked between the Colonial Secretary and the Treasury and the War Office, and they were obliged to call in the Chancellor of the Exchequer to put matters right. The result was that the unfortunate Colonial Secretary was placed in a minority by the Chancellor of the Exchequer and the Secretary for War, and has been forced to accept their decision. The colony unanimously complained of what was proposed, and appealed to the Colonial Office, which supported the colony. The Colonial Office was outvoted by the Chancellor of the Exchequer and the Secretary for War. Now, we in this Committee ought to support the colony and the Colonial Office. The Colonial Office ought not to be made a mere Department either of the Treasury or of the War Office. Lord Knutsford informs us that the incidence of the contribution was fully considered by the various Departments concerned, and continues—

> "As in the end a difference of opinion was found to exist between the Colonial Office, the Treasury, and the War Office, the matter was dealt with in confidence by the Chancellor of the Exchequer, the Secretary for War, and myself."

Thus the unfortunate Secretary for the Colonies was sandwiched between the Secretary for War and the Chancellor of the Exchequer. We have reason to complain that the Colonial Office should have been forced to put pressure on the members of the Legislative Council of Singapore. This raises a very difficult and important question in regard to our attitude towards our Crown Colonies. Are the Legislative Assemblies to be absolutely controlled by the Home Government? It appears to me the true policy for us to pursue in our relations with the Crown Colonies is to deal with them as far as possible as if they possessed representative Government—as a Cabinet would deal with a representative Assembly, and I hold that it is most dangerous for us to override the local opinion of a colony. What has been done in this case reminds one of a Stuart King directing his Parliament what to do. Word was sent out from the Colonial Office to the

Governor of this colony to carry this Vote at all hazards and against all opposition; the official members were compelled to support it, while the unofficial members were against it. It was carried by the casting vote of the Governor, and, therefore, became a case of absolute dictation, entirely out of harmony with English principles. I am sure that the protest which has been made in this Committee is a wise one, and I hope it will have the effect of moderating the dictatorial tendencies and sentiments of the Chancellor of the Exchequer and the Secretary of State for War.

(9.45.) MR. BUCHANAN (Edinburgh, E.): I support the appeal of my hon. Friend. It is a remarkable fact that in this Debate the Committee have not yet heard anything positive from the Colonial Office on the question, and that the defence of the Government has been left to the Secretary for War, with the Chancellor of the Exchequer in close attendance. It is also a notable fact that this matter was first broached to the House by the Chancellor of the Exchequer in his Budget speech in April last, when the right hon. Gentleman said the Government would appeal to the patriotism of the colonies on the subject, and that they were not disposed to deal with them in any niggardly spirit. It can hardly be said now that Singapore has been at all generously dealt with, and the colonists have, I think, strong ground for complaint. I regard the statements and arguments of the Secretary for War as very unsatisfactory, for they in no way adequately meet the case, or answer the complaint made by the colonists. Nothing has been urged in defence of the exaction—which is characterised by excessive meanness on the part of the Home Government—of a sum to make up the deficit arising from the exchange on silver in past years. I believe this is an addition to the increased contribution now demanded.

*THE CHANCELLOR OF THE EXCHEQUER (MR. GOSCHEN, St. George's, Hanover Square): No.

MR. BUCHANAN: I understood that the contribution of £100,000 was to be exacted from the colony, and that also there was £28,000 due to the Home Government on account of the loss on exchange.

MR. GOSCHEN: The hon. Member is absolutely incorrect.

MR. BUCHANAN: I am sorry to have made the mistake, but I gathered from the Despatch of Sir Cecil Smith that the Government claims that the annual contribution hitherto fixed at £50,000 shall be paid in sterling or at the Treasury rate of exchange; and the Despatch goes on to say—

"Your Lordships and your Lordships' predecessors have unceasingly represented how inequitable any such claim is on the colony, so I must despair of being listened to."

*MR. GOSCHEN: He had been listened to already.

MR. BUCHANAN: That does not appear on the face of the Despatches. My hon. Friend alluded to the fact that this claim on the part of the Treasury for loss on exchange forms part of the arrangement which has been made.

*SIR T. SUTHERLAND: I certainly thought the demand for a lump sum on account of the loss on exchange was entirely apart from the increase of the annual contribution.

*MR. GOSCHEN: It is a just claim, a large part of which was waived out of deference to the views of the colonists, and in order to treat them as generously as possible.

MR. BUCHANAN: I am very glad to have elicited that explanation. As to the suggestion that the Home Government is entitled to demand this increased annual contribution by virtue of the terms of the arrangement of 1856, that is, I think, endeavouring to enforce the provisions of the agreement too stringently upon the weaker party to he contract.

MR. E. STANHOPE: We were accused of breach of faith, and it was only fair, therefore, to quote the essential points of that agreement.

MR. BUCHANAN: The agreement might have been perfectly fair then. Is it so now? It is well-known that this extra contribution has been exacted from Singapore because of the new ideas—the new condition of things that has sprung up in connection with the necessity of protecting, or defending, our Imperial coaling stations abroad, and there is this element of shabbiness about it—that the Government will not persist in the demand on colonies which can resist it, and has only

done so in the case of Singapore, because that Crown Colony is powerless. Then there is the further argument as to the proportion which the sum of £100,000 bears to the present Revenue of the Straits Settlements. Sir Cecil Smith also deals with that. He points out clearly that the contribution now demanded is asked for because of the importance of Singapore under the new scheme of Imperial defence; yet a burden is imposed on the whole Revenue of the Straits Settlements, which have really no interests in the fortifications at Singapore. Therefore, the only fair comparison would be the ratio of the £100,000 to the Revenue of Singapore alone. I would suggest to the Government that such an important subject as this should be dealt with as a question of general Imperial policy, and not as one affecting a particular station such as Singapore. With the general consent of the House of Commons, the Government have made various proposals for Imperial defence, and particularly for the defence of the coaling stations in the other hemisphere; and surely it is a matter to be settled on general principles how much of the necessary expenditure shall be borne by the Mother Country, and how much by the individual settlements where the fortifications are raised. I quite gathered from the Blue Book and other sources that, if the Government had brought forward this matter in a reasonable and temperate spirit, it would have been met in a similar way by Singapore; for, in proof of this, it may be stated that, after all the cause of irritation given, and notwithstanding the harsh and coercive manner in which this contribution has been forced upon them, the colonists passed resolutions, expressing their willingness to contribute one-half of the estimated expenditure—or £70,000 a year. I earnestly join in the hope expressed by the hon. Member for Greenock and other hon. Members, that some action in the matter will follow this Debate—that the Government will seriously take it in hand with a view to arriving at some settlement, either by a Committee of the House, or by investigation on the part of some other responsible body, so that, in the interests of the Empire, future differences with our colonies may be avoided.

(9.59.) MR. HUNTER (Aberdeen, N.): I do not propose to occupy the time of the House at any length, but I should like to point out that this matter raises a very important point, not only with regard to Singapore, but with regard to all the Crown Colonies, because it involves the question whether in future they are to be entirely at the mercy of the home authorities. It should be remembered that these colonies have no representative members, and it is very important that in all financial relations with them the Home Government should not err on the side of harshness, meanness, or injustice. They should not only avoid shabbiness of conduct, but should be careful not to create any impression that they are guilty of it. They draw a distinction between the defence of Singapore and the defence generally of the commercial interests of the British Empire in the East. They feel it is unjust that they should be called upon, not merely to defend themselves, but to pay the very large proportion which is thrown on them of the cost of the general protection of British commerce in the East. Upon the question at issue between the Home Government and the colony, there can be little doubt that the Home Government have erred; but it is not too late, even at the eleventh hour, for the Government to do that which the sense of justice of the Colony of Singapore demands. It is hardly a light matter that leading merchants of Singapore should be led to entertain doubts of the justice, not to speak of the generosity, of the Imperial Government. I feel quite sure there is no part of Her Majesty's dominions in which stronger Imperial instincts prevail than amongst society at Singapore, but the whole colony is up in arms against the Imperial Government, and I think the amount of money which the Chancellor of the Exchequer is going to get does not make it worth while to create such a sense of injustice which has been created in this case.

*(10.4.) MR. GOSCHEN: The colonists are happy in one respect—that when there is a dispute in a matter where Imperial and colonial interests are at issue they have sympathetic Members in this House to plead their case; but, on the other hand, when the Imperial view has to be

put before the Colonial Council, there are no Members who are able to press the Imperial case in the same way. The hon. Member has spoken with regard to the merchants of Singapore. They pay no Income Tax, no Customs Duties; they are taxed more lightly than merchants in almost any other part of the world. In fact, they pay scarcely any taxes at all. It is a most natural thing on their part that they should vote or agitate against the demand made by the Imperial Government. It is said that if we impose a larger contribution upon the colony they will have to find new taxes, and that they hope, at all events, the demand made upon them will be final. Contrast with that the position of the English taxpayer. Government cannot give them any guarantee that the payments they make will be final, and when it is necessary that increased expenditure should be incurred, Government is obliged sometimes to have recourse to new taxes. It appears to be entirely forgotten that defence costs infinitely more than it did. Every single item of military expenditure costs more than it used to do. The hon. Member for West Edinburgh thinks the offer of the Singapore people a generous one. They paid £50,000 in the year 1860, when their revenues were £200,000; now their revenues are £600,000. The hon. Member thinks it generous, when the revenues are three times as great and everything connected with military expenditure costs twice as much, that the colonists should offer to pay the same as they paid 30 years ago. I do not think that is an offer which is adequate to the occasion. I deny that the speech of my right hon. Friend was wanting in sympathy with the colonies, but surely it is right to put before the House of Commons fairly what the case is as between one set of taxpayers and the other. Having looked carefully into the matter, the Government found that whether we take population, or revenue, or any other test, the colonists of Singapore paid infinitely less than almost any other community. I can assure hon. Members, while I wish to be just to the taxpayers of this country, I have at the same time borne in mind that the colonists are not represented in this House, and that, therefore, there ought to be extreme care taken in fixing the sums that should be charged. I regret the feeling of dissatisfaction in the colony, and, as far as the Government are concerned, I do not wish to add a single word which may embitter the controversy; on the contrary, the Government wish to express their appreciation of the efforts which the colonists have so far made, but I do not think we have gone one jot beyond the fair justice of the case in the demands which we have made upon the colony. This is not the view of one Department or another, but of the Government as a whole, acting upon their responsibility, and after careful consideration of the circumstances of each particular colony. I do not think we are called upon to retreat from the decision we have taken, but in order to meet the view of the hon. Member for Greenock, if the revenues of the colony should decrease, if they are less able to bear this contribution than they now are, the Government will be inclined to review the situation. At present the demand of the Imperial Government is made in the full conviction that they are attempting to draw the proper line between the claims of the British taxpayer and those of the colonists.

(10.11.) The Committee divided:—Ayes 44; Noes 112.—(Div. List, No. 344.)

Original Question again proposed.

*(10.21.) MR. SUMMERS (Huddersfield): I beg to move the reduction of the salary of the Secretary of State for the Colonies by the sum of £200, with a view to calling the attention of the Committee to the administration of the island of Ceylon, and especially to the system of taxation which prevails in the island. Ceylon is about five-sixths the size of Ireland, and, in proportion to its size, it is almost as thickly populated. There are at present nearly 3,000,000 people on the island. Notwithstanding its fertility, it is not able to grow sufficient food for its own consumption. In the year 1888 the visible food supply for the year consisted of 8,600,000 bushels of paddy (*i.e.*, rice in the husk), locally grown, which is equal to half that amount, or 4,300,000 bushels of clean rice. In addition the food supply included imported rice to the amount of 6,600,000 bushels; fine grain (kurak kan) 900,000 bushels; and peas, 35,000

bushels; making a total of 11,835,000 bushels. There is, consequently, scarcely an allowance of four bushels apiece for the bulk of the population. This is only half rations; eight bushels is the proper allowance for health. The dietary for prisoners in the gaols exceeds seven bushels of rice besides other things, the penal diet being eight bushels without other things. This being the actual state of things as regards the food supply, what does the British Government do? It raises one-fifth of the gross revenue, or three-eighths of the net revenue of the island, in the form of taxes upon necessary food. In 1887, the tax on imported rice was 1,800,000 rupees, and the tax on home-grown paddy 975,000 rupees. This is an iniquitous and intolerable state of things that ought no longer to be endured. Fifty years ago the corn laws were in force in this country. They were an intolerable wrong, but the state of things still prevailing in Ceylon is infinitely worse than was the state of things prevailing in this country during the existence of the Corn Laws. We were satisfied to place an Import Duty on foreign corn. In Ceylon we not only place an Import Duty on rice imported into the country, but we tax the home-grown rice as well. It is mainly with the Paddy Tax that I am now and here more particularly concerned. This tax is of British origin. Before the British occupation taxation had been levied on all sorts and descriptions of property in the island, but by proclamation, dated 18th November, 1818, a tax on paddy only was established at 1-10th its yearly yield. In 1840 the British Government introduced the farming system, the Paddy Tax of the different districts being put up to auction to the highest bidder. This gave rise to the grossest extortion and abuse, and was succeeded by the commutation system some 20 years ago. The tax which had formerly been paid in kind was now paid in money, and the goiya, or peasant cultivator of Ceylon, was now obliged to pay whether the crop was good or bad, and whether the land was under cultivation or not. The amount of the tax was also raised. In the Uva district, for every 100 rupees of the tax in kind in 1818, the peasantry had now to pay 350 rupees in money. Within about 30 years the Paddy Tax has been increased in the Colombo district by 145 per cent., in the Kandy district by 149 per cent., in the Matalé by 73 per cent., in Matara by 105 per cent., in Trincomalee by 108 per cent., and yet the cultivated area has not increased in these localities. The tax has every vice which it is possible for a tax to have. In the first place it is a tax on food, and taxes upon the necessaries of life; as Adam Smith has well said, have nearly the same effect upon the circumstances of the people as a poor soil and a bad climate. Hon. Members will remember that the author of *Wealth of Nations* lays down four canons with which every good tax ought to comply, and it is easy to show that this tax violates them one and all. The first of Adam Smith's maxims is this—

"The subjects of every State ought to contribute towards the support of the Government as nearly as possible in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the State."

The Paddy Tax is levied in flagrant violation of this first and most essential principle of all just taxation. The inhabitants of Ceylon are, as I have already stated, nearly 3,000,000 in number; the paddy growers, on the other hand, are only 430,187, or about one-seventh of the whole. Paddy is the only agricultural produce in the island upon which tithe is levied. The rich planters and tea growers escape scot free, the whole weight of the tax falling on the poorest portion of the population, and this in face of the fact that the remaining burdens upon the paddy growers are so great that even when the Grain Taxes are repealed they will still be the most heavily taxed of any of the people in proportion to their means, The second principle of sound taxation is that—

"The tax which each individual is bound to pay ought to be certain, and not arbitrary."

Now the Paddy Tax, as we have seen, has been raised in the most capricious and arbitrary fashion. One of the assistant Government Agents, Mr. Le Mesurier, says the cause of the great default in payment of commutation has been two-fold; the over assessment of the production of the fields, and the high rates enforced per bushel. The third principle of taxation is that—

"Every tax ought to be levied at the time, or in the manner in which it is most likely to be convenient for the contributor to pay it."

Here, again, the Paddy Tax is at fault. It is an annual tax levied whatever the state of the crop, and whether the land has been cultivated or not. The work of the Grain Commissioner in the Uva district revealed the fact that there were instances in which men had paid tax for 10 years without once realising a crop. These payments were made from coffee, not from paddy. When there was a failure of the coffee crop widespread destitution ensued. In 1883 the coffee exported amounted to 307,530 cwts.; in 1888 it had fallen to 137,793 cwts. Lastly—

"Every tax ought to be so contrived as both to take out and to keep out of the pockets of the people as little as possible over and above what it brings into the Public Treasury of the State."

From this point of view the Paddy Tax is a bad tax, because the cost of collecting it amounts to at least 20 per cent. of the tax itself. The tax, then, being of such an odious and abominable character, it is not surprising to learn that the worst possible consequences have followed from its exaction. In the year 1864 the Agent for the North-West Province sent in a Report showing that during the year 1860-61 8,000 people died of starvation, and the diseases engendered thereby, in his district in six months. Again, during the last few years the Ceylon Government sold up and evicted from their lands 85,380 people, and dispossessed them of 29,182 ancestral acres for 71,551 rupees due for arrears of Grain Tax—that is to say, for the paltry sum of about 5s. each person. The people have died by hundreds and by thousands in consequence of the brutality and inhumanity of the British Government.

*Sir J. COLOMB: What is the date to which the hon. Member refers?

*Mr. SUMMERS: From 1882 to 1885. Another statement given us on the authority of a Government official is that in 1882-5, in the Newara Eliya district alone, 1,048 owners of paddy lands died of starvation. We are responsible. I hold that the British Government and this House are responsible for the deaths of these men, women, and children.

"You take my house, when you do take the prop
That doth sustain my house; you take my life,
When you do take the means whereby I live."

The Government have taken from these poor people their means of livelihood. I do not speak of this, or indeed of any, particular Government; all Governments have sinned in this matter. Ceylon is governed despotically. It has, no doubt, a Legislative Council, but this Council is only a consultative body, it has no power of initiative. The Legislative Council is composed of the Governor and 10 of his officials, and of seven gentlemen, not officials, who are nominated by the Governor. None of these non-official members may raise any question in Council which entails a money vote or might lead to one; and no official member may speak or vote except as the Governor permits. Everything depends upon the Governor and the Secretary of State for the Colonies. They have only to speak the word and an end will be put to a gross wrong, and right will be done at last to some of the poorest, humblest, and most deserving of Her Majesty's subjects. I beg to move the reduction of the Vote by £200.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £200, part of the Salary of the Secretary of State."—(*Mr. Summers.*)

*(10.40.) Mr. SCHWANN (Manchester, N.): I must say I had hoped, after what passed in this House some few months ago, that by this time, at any rate, a considerable step would have been taken in the direction indicated by my hon. Friend. It seems to me that this question of the Paddy Tax in Ceylon has somewhat akin in its nature to the course of an intermittent fever; it has its hot and cold phases, and, at the present time, we have entered upon a cold phase of the question, I fear. I judge this, because when I asked a short time ago whether any advance had been made towards a settlement, I was told that, though it had been under the consideration of the Government, nothing had been decided upon in this "very complicated question." As a partisan of the Government of the right hon. Gentleman the Member for Mid Lothian, I should be satisfied if the honour and credit of settling this matter

did not fall to the present Government; but having visited Ceylon, and knowing the condition of the Cingalese labourer, I feel it is a matter too urgent for even that short delay, and I would prefer that it should be settled now immediately by the right hon. Gentleman now sitting opposite and his Party, so as not to prolong the hardships under which the Paddy-grinder suffers. For my own part, I cannot see any cause for such long delay. There must be tons of correspondence on the subject in the Colonial Office, and I am quite at a loss to understand what it is which prevents the settlement of so simple a question, involving only £75,000 a year of revenue. To the great ability of the right hon. Gentleman opposite, who not long ago bore, Atlas like, the immense burden of the Sugar Bounties question, I am sure the solution of so simple a matter as the Paddy Tax can present no great difficulty. In Ceylon there are only a few fanatics and fossils remaining who defend the tax. Even the planters, whose interests are not all on the side of a change of taxation, have very greatly changed their position, having been touched by the miseries depicted in the Reports of the Government Agents—Mr. Le Mesurier and Mr. Fisher. I need not enter at length into the Reports of these gentlemen, because the House has on various occasions been put in possession of the facts. I will only mention from Mr. Fisher's Report the fact that 3,244 fields have been sold within five years, or 22½ per cent. of the paddy fields in his—the Uva—district, 2,950 head of families, and estimating each family to consist of five, 15,750 villagers have been thus deprived of the means of livelihood, or 49 per cent. of the whole population of the district. Mr. Moir did not exaggerate when he said that in his district 1,689 fields out of 2,780 had been alienated and sold by the Government for arrears of taxes? But very recent information the Government has at hand to show the impoverishment among the paddy growers. The Census Returns for 1891 show to what an enormous extent villagers have been driven away by eviction and want to the tea plantations. It is difficult, without local knowledge, to picture all the evils that result from this driving of the heads of the families from their native villages. Wives and children are deserted, destitution and gross immorality prevail. It appears from the Census returns that in the Central province the population has diminished 10 per cent. in the villages, and on the estates it has increased 20 per cent. In the Kandy district the decrease in the village population has been 11 per cent., and the increase on the estates 32 per cent. The transference of population is obviously the result of bad times and the continued exactions of the tax collector. The fact is that rice cultivators in the island can only obtain a miserable livelihood, and yet upon this class falls almost the whole burden of taxation on produce. It is said sometimes that money has been made out of rice cultivation, and that it is an industry that pays well; but from actual experiments made, Mr. White, the well-known planter, declares that the cultivation cannot pay. The only way in which a profit can be made is by the usual method adopted by the Moormen and others, who buy the land, settle families of Cingalese upon it, and reserve to themselves the right of supplying food, implements, and seed, all at a profit of 50 per cent. Only by half-starving himself can the "goiya," or labourer, eke out an existence. By working 100 days, he gets eight or ten bushels of paddy, equal to 15s. or 16s. A miserable result for 100 days' labour. Mr. Wall, the well-known editor of the Ceylon *Independent*, has made a calculation of the incidence of taxation in terms of days on heads of families, and he has taken four different classes in Ceylon and estimated the percentage of day's income per year a man of each class gives to pay his share of the taxation. The "goiya," paid in kind equal to 10 cents a day, has to work 52 days to pay his share of taxation, the goiya earning wages works 46 days, persons in receipt of incomes of 500 rupees a year 11 days, and those in receipt of 1,000 rupees pay 5·90 days income. When reduced to averages it works out that the goiya works 14·4 per cent. of the total days of the year, the goiya earning wages 13 per cent., the person with an income of 500 rupees annually 3 per cent., and the recipient of an income of 1,000 rupees a year 1·6 per cent. of the 365 days of the year. So it appears the class most heavily taxed is that to which the

poorest agricultural labourers belong. I am glad to think that since I was in Ceylon, four or five months ago, there has been a decided advance shown in the expression of public opinion. The present Governor—Sir Arthur Havelock—may be claimed as on the side of those who propose the abolition of the Paddy Tax. Speaking at a public breakfast at Dimbula, at which he was entertained by planters, he used these words, in which he referred, though indirectly, to the Paddy Tax—

"I am not aware of any particular obstacle in the way of the progress of the planting interests that Government could at present help to remove, nor can I think of any special advantages which the Government, with due regard to other interests could just now fairly give to the planting enterprise. If the planting industry were an industry that hardly paid its own way; if it were an industry that hardly left any margin of profit and which only succeeded in keeping body and soul together; if that industry were subject to a heavy impost to which no other industry or undertaking in the country that I know of is subject; if the result of the collection of that impost has been the leaving of their homes by hundreds, I might say thousands of families who have had to quit their holdings on account of forced sales of their land, and have had to seek their living as best as they can, some in unaccustomed and menial labour, and others in the paths of crime and vice or of dishonour, then I should say that it was the duty of the Government to do all it can to remove that impost, even though it might cost some little sacrifice of revenue — even though while removing it, it might be necessary to throw overboard some of the axioms and theories of financiers—even though it might be proved that that impost had existed and had been endured since the time of Noah, of Wivjavo, or of Buddha."

Obviously Sir Arthur Havelock was referring to the paddy growers, and the reference was so understood by the *Observer*, for that paper animadverted severely upon the phases I have just read. But I am glad to think that the *Observer*, which may be said to hold in Ceylon the position the *Times* does here, recognises the justice of our claims, for I find the *Observer* making use of these remarks—

"The Government have mitigated the paddy evy again and again; they have in a very slight degree, and as regards the abolition of this 'rent,' or tax, the rich are, we believe, ready for the change to-morrow, and to go in for a general land levy which can alone supersede both our local food or grain taxes."

Again, I find the *Observer* saying—

"We have told Mr. Schwann and other visitors a thousand times that the Ceylon planters are, if need be, ready for a general land tax, or any re-arrangement of taxation at any time; but what native, or native organ, in Ceylon has ever, or will ever, support a general land tax?"

Of course, those who are only subject to a light Road Tax of 1 rupee 80 cents do not look forward to a new tax with any pleasure, and as Burke said, "It is as difficult to tax and to please, as to love and be wise." What substitutes may be found for the Paddy Tax? A general light Land Tax, exempting small holdings. Out of 25,000 square miles in the Island there are 574,000 acres under paddy, and 643,641 acres under cocoanut trees, the latter constitutes the most profitable form of cultivation, though no tax whatever is imposed upon it. Then, again, an Income Tax, which has been applied by able financiers throughout India, could surely be applied without much difficulty to a small Island like Ceylon. The duty on spirits might be raised. It is only 4 rupees 50 cents in Ceylon, while in many colonies it is 10s, or more per gallon. It would not be difficult to impose a light Export Duty on tea, the export of which has increased in four years from 14,000,000 to 44,000,000 lbs. A very small duty on this would produce a large revenue. But I do not wish to detain the House with suggestions. I hope that before the House meets again next Session the Government will have done themselves the honour of removing the weight of taxation which now presses so heavily upon this suffering and industrious population.

*MR. G. OSBORNE MORGAN: I have always considered this the very worst tax that could be imposed, for it is raised on a necessary of life and falls on the poorest part of the population, while it is exceedingly expensive to raise. It is a tax wrung from the poorest part of the population, and, as I gather from the pamphlet on the subject published by Mr. Salmon, the tax amounts to 13 or 14 per cent. on an average income of £6 a year. It is no wonder that the land is going out of cultivation. Mr. Salmon states that in one district out of 18,848 fields, 2,889, or 15 per cent., were sold in four years, owing to the inability of the cultivators to pay the tax, and besides that, a large number of other farms had to be abandoned. Statistics show that in the districts where the Paddy Tax presses most hardly upon the

cultivators there have been appalling starvation and misery. I do not wish to attach the blame to any particular Government, for Liberal Governments have been as much to blame as Conservative Governments in continuing this tax, but a change has taken place in the views of the authorities themselves, and I think the time has come when a determined effort should be made to substitute for it some more fair and equal tax, which will not press so heavily on the poorest part of the population. A light Income Tax might well be substituted for it. That is paid throughout India; why, therefore, should it not be paid in Ceylon? The means of finding a substitute must be left to the Government of the day, but I do press most earnestly on the right hon. Gentleman that the time has come when something should be done to relieve these wretched people who, as it is, have hard work to keep body and soul together, from one of the most unjust taxes that can be conceived.

*(11.4.) BARON H. DE WORMS: I can assure the right hon. Gentleman and hon. Gentlemen who have spoken that Her Majesty's Government, to a great extent, share the views they have expressed. The hon. Member for Huddersfield was incorrect in stating that the tax was introduced by the British Government, for I have here a Report which states that when England took possession of the island the land was liable to contribute to the general revenue of the State, and that this tax was instituted in the year 500 of the Christian era. It has been continuously reduced during the occupation of the island by the English. While sympathising with hon. Gentlemen opposite, and agreeing that this tax is hard on the poorer population, the Government have to consider a very important question, namely, the means of raising an amount of revenue equal to this tax should it be abolished. That question has presented itself to many Governments. Up to the present time no Government has succeeded in solving the problem of how to raise an equal amount by other means. It is easy to suggest Income Tax and taxes upon cocoanuts and tea, but it is certainly doubtful whether the people of Ceylon would receive any of those suggestions with any considerable amount of enthusiasm. It has been said that a vast number of persons have been compelled to leave their lands in consequence of the impossibility of paying the Paddy Tax, and have perished from starvation. The Secretary of State has inquired carefully into the subject, and is convinced that the circumstances have been greatly exaggerated. The population statistics are the strongest evidence of this. In two districts where the mortality is said to have been specially high the statistics show that whereas a few years before the population was 10,564 and 15,700 respectively, in 1888 it rose to 10,938 and 16,341. That leads to the conclusion that there can not have been much diminution in the population from deaths in those districts. To make good the deficit that would be caused by the abolition of the Paddy Tax a very considerable amount of revenue must be raised. It would be necessary to reconstitute the whole system of taxation in the island. From 1881 to 1885 this question was under the consideration of the Colonial Office under the right hon. Gentleman the Member for Mid Lothian, and I observe that the same difficulties that presented themselves to the present Government presented themselves to that Government; and when the hon. Member for Manchester says he thinks that we ought to have solved the question during the past three months, I would remind him that this is not a question that the present Government alone has had to deal with, but which generations of Governments, so to speak, have had to face. One-third of the taxation of the island is derived from these taxes on grain.

MR. SCHWANN: My argument was that, for the sake of humanity, the Government be prepared even to depart from the recognised principles of political economy.

*BARON H. DE WORMS: I do not say it is impossible to supply the place of this tax, but I say it is a matter which requires very grave consideration. The Governor of Ceylon has been instructed to inquire into the whole subject. Her Majesty's Government are waiting for this Report, and as soon as it is received we shall do our utmost to do away with a tax which we regard as a hard one, and one to some extent unjust.

(11.10.) SIR E. WATKIN (Hythe): Having been in Ceylon two or three years ago, and having made inquiries in regard to this matter, I must say that I

regard the Paddy Tax as one of the most scandalous taxes in existence. The Government have never fairly looked into the question at all. I have heard answers given from the Front Bench opposite which have convinced me that that is the case. The tax bears most heavily on the poorer part of the population, every spoonful of paddy eaten by a child in the island having to pay its proportion of the tax. The question is one of humanity, and not of political economy at all. As a mere question of humanity it ought to be abolished, for it conduces to the starvation of the people. I must say I am astonished to see the state of the Treasury Bench to-night. We are not dealing with the luxuries of the rich, but with the misery and starvation of the poor under our protection in Ceylon, and there are the Members of the Government, or rather, there they are not. I thank the hon. Member for Huddersfield for having brought this question forward. I hope Her Majesty's Government will have the courage to appoint a Commission to thoroughly investigate the whole matter, and I feel sure that if they do, such Commission will condemn this iniquity which has been permitted for so long.

*Sir G. CAMPBELL: I desire to dissociate myself from the suggestion of the hon. Member for Manchester that the Import Duty on rice should be retained. I am surprised that the suggestion should come from Manchester of all places in the world. I earnestly hope the Paddy Tax will be abolished. It now replaces the old Land Tax, which fell upon the rich, and which has been abolished owing to the pressure of that influential oligarchy which is to be found in all our Crown Colonies. They have shifted the taxes from themselves and imposed them on the food of the lowest and poorest of the people. The Paddy Tax ought to be abolished and an equable Land Tax re-established. That would bear on all alike—whether the rich cultivators of tea and cocoa or the poor growers of rice.

(11.16.) Mr. S. HOARE (Norwich): We are all agreed that if possible the Paddy Tax should be altered, but I do hope that the suggestions of the hon. Member for Manchester will not be allowed to pass without notice in this House. I am astonished at the hon. Member suggesting the imposition of an Income Tax and an Export Duty on tea. I wonder what the hon. Member for Leicester (Mr. Picton) would have said to that if he had been present. Ceylon is only just emerging from financial difficulties due to the failure of the coffee crop, and I should be very sorry to see an Export Duty on tea, which would diminish the export of tea, thereby injuring the colony, and at the same time increasing the price of an article in this country of universal consumption among the poorer classes.

(11.19.) The Committee divided:—Ayes 69; Noes 112.—(Div. List, No. 345.)

Original Question again proposed.

*(11.28.) Mr. S. SMITH (Flintshire): Before we pass from this subject I wish to deal with a matter several times referred to to-night, namely, the main source of revenue in Singapore, the Straits Settlements, Hong Kong, and other Crown Colonies along the Asiatic coast. That source of revenue is the sale of opium. That trade is very demoralising. There is a strong feeling growing up among the natives in those colonies against our policy of multiplying opium dens among them for the sake of revenue. We have crowded Singapore and Hong Kong with opium dens, and all the British settlements along the Asiatic coast have become contaminated, and I wish to protest against such policy. I would call attention to a Petition from Singapore, signed by 11,000 residents and sent to this House last year. That Petition refers to the terrible effects of opium smoking among the thousands of Chinese in the colonies, and prays the British Administration to lessen the facilities for carrying on a traffic in this pernicious drug. On behalf of the people of Singapore I wish to call the attention of the House to this Petition, and to point out the havoc we are causing by the enormous multiplication of the number of opium dens in that unhappy place. We are told that of late years the revenue of Singapore has been trebled; that it has risen from £200,000 to £600,000. Yes; but how has that great increase taken place? By multiplying the number of opium dens and stimulating the consumption of the drug, thereby demoralising tens of thousands of the popu-

lation. And the same thing has happened in Hong Kong. There, again, we draw our chief revenue by ministering to the vices of the people. A Petition was sent from Hong Kong last year, and it was supported by nearly all the native churches. It points out the evils arising from the trade in opium, and it prays the Government to restrict the importation. I think the House will be very hard-hearted if it pays no attention to these appeals. Had this been a matter touching the pockets of European merchants there would have been a tremendous noise about it; but as it only injuriously affects the welfare of millions of poor natives little notice is taken of these appeals. The Government will not trouble itself about the moral and physical welfare of these people; it studies only the pecuniary advantage of the European colony. I do appeal to them, however, to do something to limit a traffic which inflicts ruin and misery on thousands and tens of thousands of our fellow-subjects.

(11.34.) MR. M. STEWART (Kirkcudbright): I wish to emphasise what has fallen from the hon. Member for Flintshire. I think that the Petitions referred to by the hon. Member show that there is a strong feeling in these colonies against the existing state of things with regard to the opium traffic. I trust that this question will be narrowly watched, not only by the Government, but by Parliament, and that a real effort will be made to reduce the evils of the opium traffic as far as possible in Singapore and other colonies. At Singapore it is not only the Chinese who are victims to this terrible vice; even Europeans are falling into the pernicious habit.

*MR. GOSCHEN: No notice has been given to my right hon. Friend that this important question was going to be brought up, but it will be brought under the notice of Lord Knutsford. Of course the question is extremely important, both socially and financially, and I am sure that the Committee will not wish any rash action to be taken on the matter. I will now earnestly ask the Committee to allow this Vote to be taken, as a considerable time has been occupied in the discussion of the very important questions raised. I do not say that the Debate has been unduly prolonged, but I am sure hon. Members on both sides are anxious to make progress with the business of the Committee.

*MR. CREMER (Shoreditch, Haggerston): I have no wish to prolong the discussion. I wish, however, to ask two questions, not out of curiosity, but for reasons which will make themselves manifest on a future occasion. I desire information as to the office hours of the First and Second Division clerks in the Colonial Office and also of the messengers and workmen. I want to know at what hour they commence, how long is allowed for refreshment, and at what hour they finish? I ask for this question during Supply, because if I had moved for a Parliamentary Return it would probably have been refused me. I also wish to give notice that I propose on all the subsequent Votes affecting other Government Departments to ask for similar information.

*(11.40.) BARON H. DE WORMS: I shall be happy to give the information either in reply to a question or on the Report.

*MR. CREMER: I should prefer to have the information on the Report. I think I should be more likely to get definite information than if I put a question.

DR. TANNER (Cork Co., Mid): I do not think my hon. Friend ought to be satisfied with that undertaking. I take it that promises are often given to supply information on Report with the hope that as Report is taken after midnight the hon. Member desiring it may chance to be absent from the House. I think it is our duty to insist on having the information as to the hours the clerks in Public Offices work. We know that in some Departments they have a very easy time, and we ought to see that the country gets money's worth for the salary paid to them. I shall take a Division on this matter, even if I am the only Member to challenge it. I therefore hope the right hon. Gentleman will, even now, give us a specific statement.

(11.45.) MR. MORTON (Peterborough): I wish to ask a few questions. We certainly have had a long Debate on this Vote, but we have not yet commenced to analyse the figures. Under Sub-head A I find the case of a first-class clerk who is a major in the Yeomanry. When he goes on this annual training he receives 19s. a day, and an

allowance for forage. Is any deduction made from his salary of £800 while he is away from the office on this training? Then I see that one of the chief clerks gets £100 a year for emigration business. Is that in addition to his salary of £1,000 a year, and, if so, does he do the emigration work out of office hours? Under Sub-head B there is an item, Emigrants' Information Office £500 "expenses of management, &c.," and £150 rent. Why are not the details set out in the same way as the Votes for other Offices? Can the Under Secretary for the Colonies explain the items? What is the meaning of "etcetera?" Is it, as a celebrated individual once found out, "sherry and biscuits?" I hope my hon. Friend will persist in securing the information he desires as to the hours of labour of the *employés* in Government Offices. I think sometimes they are too short, for I remember that when I went to one office on public business before 11 o'clock the clerks were very angry indeed with me.

*(11.50.) BARON H. DE WORMS: As to the Emigrants' Information Office, the £500 is for salaries of clerks and caretakers.

MR. MORTON: How about the Yeomanry officer?

*BARON H. DE WORMS: He is absent only six days at the training, and I am not aware that any deduction is made from his salary on that account. As to the other gentleman, the emigration is something outside his ordinary duties, and of course he receives extra remuneration for it.

MR. MORTON: Why is not the staff of the Emigrants' Information Office set out as that of other offices?

*(11.51.) BARON H. DE WORMS: I cannot say; I have nothing to do with that.

*SIR J. COLOMB: If the hon. Member will look to the Report of the Colonisation Committee he will get full details.

MR. MORTON: I say the details ought to appear in this Vote.

(11.52.) Question put, and agreed to.

Resolution to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £11,009, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Department of Her Majesty's Most Honourable Privy Council and for Quarantine Expenses."

DR. CLARK: On this question I wish to ask whether it was not the intention of the Government when the Board of Agriculture was formed to take the £2,000 put down for the salary of the President of the Council and devote it to the Minister of Agriculture by way of salary? I certainly gathered there was an understanding to that effect. We shall have to take a Division on it; but it will be more convenient to do so when we come to the Vote for the Minister of Agriculture.

*MR. CREMER: I wish to put a question as to the hours of the clerks and workmen in this Department. I wish also to get an explanation of the item of £50—"allowance to the purveyor of luncheons." A similar item occurs in other Votes, and I wish to know if it is an allowance to make up a loss on the sale of refreshments?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I will endeavour to get the information asked for by the hon. Member on the Report stage. If he will put a question as to the allowance of the purveyor of luncheons I will also explain that.

*MR. CREMER: I will do so.

(11.58.) MR. MORTON: I also wish to draw attention to this allowance to the luncheon purveyor. There is an item for a similar purpose (but only for £25) in the Home Office Vote. Why is a large sum given to the comparatively small Office of the Privy Council? I should like an answer as to that.

It being Midnight, the Chairman left the Chair to make his report to the House.

Resolution to be reported to-morrow; Committee also report Progress; to sit again to morrow.

EVIDENCE BILL [LORDS].—(No. 335.)

COMMITTEE.

Order for Committee read.

SIR H. DAVEY (Stockton): I beg to move that this Bill be sent to a Select Committee. It cannot be adequately discussed in Committee of the whole House, and therefore I beg to move that the Order now read be discharged, and the Bill referred to a Select Committee.

MR. T. M. HEALY (Longford, N.): I object.

MR. TOMLINSON (Preston): How long does the hon. Gentleman the Member for Stockton think the Bill would take in Committee? Could it pass this Session?

SIR H. DAVEY: It is not my Bill, it is a Government Bill; but I hope my hon. Friend the Member for Longford will not press his objection.

MR. T. M. HEALY: As long as I am a Member of this House I shall object to this Bill.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I think the hon. Member for Longford is under a misapprehension.

MR. T. M. HEALY: I object.

SIR R. WEBSTER: May I explain——

MR. T. M. HEALY: I object.

SIR R. WEBSTER: If I may——

MR. T. M. HEALY: I object. I rise to a point of Order. I wish to know if the Debate can be proceeded with in the face of the objection taken?

*MR. SPEAKER: The hon. and learned Gentleman the Attorney General is entitled to explain or to make an appeal. Of course, Opposed Business cannot be proceeded with.

SIR R. WEBSTER: I only wish to say that the objection which the hon. Member takes to the Bill is founded on a suggestion made by the right hon. Gentleman the Member for Wolverhampton that a certain clause should be inserted. But the Leader of the House told the right hon. Gentleman that if that proposal were pressed the Bill could not be passed. The Bill, as now presented, does not make the alteration of the law to which the hon. Member for Longford objects. I agree with the suggestion to send the Bill to a Select Committee.

MR. T. M. HEALY: I presume I may be allowed to reply to the speech of the Attorney General. I have for the last eight years successfully prevented any Bill of this kind passing into law, and so long as any objection of mine will prevail it will be made. I remember the triumphant statement of the Chief Secretary that he intended to cram this Bill down our throats; but capacious as those throats are he has not succeeded in cramming it down as yet.

MR. SEXTON (Belfast, W.): The Attorney General told us on the occasion of the Second Reading that this was a Consolidation Bill making no change in the law. But the right hon. Gentleman the Member for Wolverhampton is seeking to introduce what we think an obnoxious provision, and the Government also are proposing to resist a Motion that the Bill do not extend to Ireland. So long as that is their attitude we shall object to the Bill.

Committee deferred till Thursday next.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Resolution [10th July] reported.

CLASS II.

"That a sum, not exceeding £46,015, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1892, for the Salaries and Expenses of the Department of Her Majesty's Secretary of State for Foreign Affairs."

Resolution agreed to.

WAYS AND MEANS.

Committee deferred till Wednesday.

TRAINING COLLEGES (IRELAND) [LOANS].

Resolution reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any annuity that may be created for the repayment of any Loan made by the Irish Land Commission under any Act of the present Session, to provide for the Re-imbursement to Training Colleges in Ireland of certain past expenditure on their Sites, Buildings, Appurtenances, Premises, and Fixtures."

Resolution agreed to.

FISHERIES BILL [LORDS].—(No. 406.)

COMMITTEE.

Order for Committee read.

DR. TANNER (Cork Co., Mid): I object.

MR. ROWNTREE (Scarborough): I appeal earnestly to the hon. Member not to object. The Bill is an important one in the interests of the east coast fishermen, and I hope it may be allowed to pass with as little delay as possible.

DR. TANNER: I have objected because no explanation has been given of the provisions of the Bill.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I did make an explanation on the Second Reading, but I think the hon. Member was not in his place. This is merely a Bill to carry into effect provisions which will prove advantageous to English fishermen. It does not affect the Irish fisheries.

DR. TANNER: Under the circumstances, I will not press my objection. I have only just returned from Carlow, where I have been opposing the Tory friends of the right hon. Gentleman, and as I could not be in two places at once I missed the explanation. I hope that the Chief Secretary for Ireland will take cognisance of this, for I have on the Paper a Bill for the benefit of Irish fishermen, and hope it will be allowed to pass.

Bill considered in Committee, and reported; as amended, to be considered to-morrow.

HIGHWAYS AND BRIDGES BILL.

(No. 384.)

Read the third time, and passed.

STATUTORY RULES PROCEDURE (RECOMMITTED) BILL.—(No. 397.)

Considered in Committee, and reported; as amended, to be considered upon Friday.

BETTING AND LOANS (INFANTS) BILL [LORDS.]—(No. 367.)

Considered in Committee.

(In the Committee.)

Clause 1.

MR. E. ROBERTSON (Dundee): I am sorry to oppose this Bill, but I feel bound to do so as it creates new offences, and, in fact, repeats some of the worst features of the Conspiracy Law, to which we on this side of the House so strongly object. I do not think it would be easy to amend it, so I hope it will not be persisted in. I beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. E. Robertson.*)

SIR H. DAVEY (Stockton): I hope the objection will be withdrawn. The Bill was carefully considered in another place; it has the support of Lord Herschell, and any Amendments the hon. Member may put down shall be carefully considered. Although the Bill has been before the House several weeks not a single Amendment has been put down.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I hope that the Bill will be allowed to proceed. It makes the very minimum of alteration in the law, and it is absolutely necessary that there should be some stringent remedy for the evils which the Bill deals with. It is admitted on all hands that great mischief is done by offering inducements to young people and persons in employment to bet and gamble, and surely the hon. Member sympathises with any effort to get rid of that evil.

MR. E. ROBERTSON: The Attorney General says the Bill does not go very far, but it goes this distance: it makes it a crime to send to an undergraduate at Oxford or Cambridge information as to a coming race on which betting or wagering is customary, while that undergraduate is quite at liberty to bet on the race if he chooses. The Bill also establishes violent presumptions against the persons at whom its provisions are aimed. It is a departure from sound principles of legislation, it will have to be carefully considered, more so here than in the other House, and as we cannot go into it thoroughly at this time of the night I must press my Motion to report Progress.

Question put, and agreed to.

Committee report Progress; to sit again upon Thursday.

EAST INDIA (COLLEGES OF RURKI, SEEBPUR, POONA, AND MADRAS.)

Address for—

"Return showing the Capital Cost of each of the four Colleges of Rurki, Seebpur, Poona, and Madras; the Annual Expenditure and Amount of the Return in the shape of Fees in each case; and, the number of Annual Government Appointments from each of these Colleges."—(*Mr. King.*)

ALIEN IMMIGRATION.

Return (in part) presented,—relative thereto [ordered 13th July; *Sir Michael Hicks Beach*]; to lie upon the Table.

House adjourned at twenty-five minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 14th July, 1891.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 123.)

Reported from the Standing Committee, with an amendment: The Report thereof to be received on Thursday next.

SLANDER OF WOMEN BILL.—(No. 111.)

Reported from the Standing Committee, with an amendment: The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 233.)

MUNICIPAL REGISTRATION (DUBLIN AND BELFAST) BILL.—(No. 200.)

Reported from the Standing Committee, without amendments; and to be read 3ª on Thursday next.

RETURNING OFFICERS (SCOTLAND) BILL.—(No. 191.)

Reported from the Standing Committee, with amendments: The Report thereof to be received on Thursday next.

ALIEN IMMIGRATION.

"Return of the number of aliens arrived from the continent at ports in the United Kingdom in each month from June to December, 1891; Ordered to be laid before the House."—(*The Lord Balfour.*)

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 229.)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."

LORD DENMAN: My Lords, having given notice of opposition to this Bill, I have to apologise for leading what appears to be a forlorn hope, but from 1870 to the present time I have constantly protested against the principle of Land Purchase as introduced by Mr. Bright, who, at the same time, was such a depreciator of the value of land that he made it almost impossible for tenants to hold their own. Having an interest in Ireland, and having constantly been there, I do assure your Lordships I do not think that this Bill will produce anything more than continued litigation between tenants and their landlords. I believe that the landlords may be reconciled to their tenants, and that the union between them is one of the greatest possible advantage to both. In the year 1870, I think there was a large majority in this House for the retention of the old glebes. The great Duke of Abercorn told me there was a private meeting at the house of the Marquess of Bath, and that it was agreed to abandon the opposition to the Bill on the ground of wishing to retain those glebes. That resulted in the noble Marquess, who is now at the head of the Government, assuming the place of defender of the Irish Church, but the late Earl of Derby was taken entirely by surprise. He was Leader of the Opposition, and I owed allegiance to him, and to see him walk out of the House, and say there is no occasion for him to remain any longer, was the most painful sight I ever witnessed, and my life has been a very long one. The Press has entirely suppressed my opposition to this Bill by entirely excluding my speeches, although I know they can hear me exceedingly well. But I do not speak for the purpose of publication in the newspapers, and when I assure your Lordships that I have attended in this House more often than any other Peer, and have spoken more seldom than any other Member of your Lordships' House, I speak the truth. I do not speak to try to cause agitation in a part of the Kingdom; but I have a character to maintain. I can only say that I have always thought this House had considerable influence over Money Bills. It is stated so in the Standing Orders of the House. In the time of Charles II. there was a Wine and Licensing Bill, and great displeasure was expressed by the Lord Chamberlain in this House that it was passed only on account of the lateness of the Session. I believe the Session was then only until May 15, but things were different in those days. I wish your Lordships to know that I have lived in a county in which casting votes have very often decided great questions. At Ashbourne, after the return of Munday, who turned

the election by a single vote, with his own, I stated most emphatically that if measures coming from this House were cut short by *clôture* in the other House, I should view them with very great jealousy. It cannot be true that a measure which is cut short by *clôture* is enacted by the advice of both Houses, because the advice of a great portion of Parliament is cut off. If you say it is the same thing, I can only say that it is very far from the exact truth. I wish to show your Lordships that I do not divide the House on capricious motives. If I say that the Noes have it when this question is put, it will not be the truth, I fear; but I can say that I honestly think it ought to be the truth, because the conflict between both Houses will be so very great, and the delay and subsequent litigation will also do no good to anybody. The Duke of Devonshire lately sold a property to a tenant in Ireland, but that man happened to be exceedingly wealthy. But how men who have to borrow money to buy their land can stock their farms when they have got them I cannot possibly imagine. I fear they will stop short in their career of payment. The noble Lord Harlech, in an Amendment, wished to give the right of pre-emption to the landlords, and I suppose that many landlords wish to get back their land if it is sold at 10 years' purchase, as I understand the Marquess of Bath to have said. If the Marquess of Bath's son were to live 34 years, I fear he would be rather sorry to be without his paternal estates. I do not wish to be personal in any way, but I must say this, that if anybody had foretold that Her Majesty's Government would adopt the advice of Mr. Bright at any future time, I should have said it was a false prophecy. I am not easily induced to use language which can give offence, but I do most earnestly believe that if you have a sudden vindictive election to punish the majority of the House of Commons for being a majority against the expensive devices of the County Councils, I believe you will not have the approbation of any honest man. I beg to move that this Bill be read a third time this day 10 months.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day ten months.")—(*The Lord Denman.*)

EARL SPENCER: My Lords, I hardly think your Lordships will be willing to adopt the Amendment which has been moved by the noble Lord who has just spoken. Perhaps I ought to apologise to your Lordships for rising to make any remarks upon this important Bill at this stage of the proceedings, but I was prevented from being here at the Second Reading, and as I have been so mixed up at different times with questions connected with land legislation in Ireland, I do not like to let the opportunity pass without saying a very few words upon the subject. I shall not detain your Lordships long, for the subject was then ably discussed, and the views which I hold were very ably and powerfully put forward by my noble Friends Lord Kimberley and Lord Herschell, sitting behind me. I have always advocated for many respects the settlement of the land question in Ireland, and I have always advocated a large measure of land purchase. I still hold those views, and on the whole I am glad that Her Majesty's Government have succeeded in passing what I may say I consider to be a large and comprehensive measure for this purpose. At the same time I do differ very strongly from some of the methods which have been introduced into this measure, and I have serious objections to several of them. I shall not expand those views into anything like a long speech, but I should like shortly to recapitulate the principal objections that I entertain to the measure. First of all I object to the extreme complication. I believe that in order to make a measure of this sort successful in Ireland, and acceptable to the Irish tenants, it is desirable that the clauses should be as simple as possible. I believe there is very little simplicity in this Bill, and that the complication of the various clauses in it will prevent its working and being availed of to the extent which I should like to see. I object to using the Probate and other Duties which were intended to be given to the Irish in aid of local rates, without the Irish ratepayers being consulted in the matter. I object also to the power given to apply the rates of any county in Ireland to make up the default of

those who have purchased under the Act, without the ratepayers in the county in any way having a voice as to the responsibility which is thereby thrown upon them. I object to the direct contact into which the State will be brought with the occupiers in regard to this measure. That I have always used as a strong argument against any measure of this sort. It is what the noble Marquess at the head of the Government called the "buffer" argument, but I believe that argument is a very valid one, and I confess that I look with some apprehension to the possible results of the State being brought into direct contact with the Irish occupiers by means of this Bill. I do not for a moment say there is a chance of repudiation, but we all know what has occurred before in Ireland, and we know that in bad seasons there will be great pressure upon the tenants, and that they may be unable to pay these annuities. We know also from the past that at different times political agitation has created difficulty in respect of this very point, and, though I hope it may not so turn out, I fear in the future there may be some difficulties of the kind again. Further than this, I have always said I wish that a large settlement of the Land Question should be accompanied with a large measure of Local Government reform in that country. I have only stated these objections, and I shall not delay your Lordships by elaborating any arguments upon them, for, as I said before, my noble Friends Lord Kimberley and Lord Herschell spoke very ably and powerfully on this point during the Debate of the Second Reading. I wish now to refer to one or two other matters very shortly. In Committee the other night I asked some questions of the noble Lord the Lord Privy Seal with regard to the congested districts, and I wish to repeat what I said on that occasion. I attach very great importance to the relief of these congested districts, because I believe that in all difficulties in Ireland the first beginning of disturbance comes from those places in which an exceedingly impoverished tenantry reside, and if there is anything like famine or any difficulty, they are brought into great straits, and they immediately become a very serious burden on the community and a source of real danger to the State. I fear very much that the proposals of Her Majesty's Government will not rerlly touch the fringe of that question. They may do some good, and I do not for a moment say they will not, by their system of improved communication in those districts, by the erection of piers and the encouragement of fisheries, but I doubt extremely whether they will be able really to master the serious difficulty of the enormous number of poor tenants being huddled together on one spot where they are unable to get a bare subsistence at any time of the year. In those districts it is very often most important that the landlord should sell his property; he is often in a very impoverished state, and with such exceedingly poor tenants, it would be desirable if he could sell his estate, though he may not be able to sell it to those small tenants paying only £1 or 30s. an acre for their holdings. I believe it is next to impossible. The security they can give will be insufficient, and the Land Commission will not sanction sales to them. I really think the only mode of dealing with this difficulty is to enable some body which has popular support to buy the estates in such congested districts, and then try to improve the miserable condition of these tenants. I wish the Bill contained a proposal of that sort, but I am afraid it does not. I did intend to make some proposal of that sort, but when I came to look into the matter, I found it was too large a proposal to be made at this stage of the Bill. There is another consideration with regard to this Bill, to which I do not think sufficient attention has been given. In Ireland, unfortunately, there are an enormous number of estates of proprietors who are in extreme difficulty. I understand at this moment there are estates under Receivers in Chancery of the value of something like £990,000 a year. Very nearly £1,000,000 of rent is under those circumstances at the present moment. That alone I regard as a very serious matter. Besides that, there are estates which are very heavily mortgaged, but which are still under the management of the proprietors. We all know with any country when any proprietors are in this very dangerous position without

any money it is a very serious drawback to the development of their estates. The Encumbered Estates Act has come almost to a complete deadlock. There have been very few sales, except the sales which have taken place under the Ashbourne Acts. I cannot help thinking that this Act, if it is at all successful, may bring about a gigantic revolution on this very point. Up to the present time, and for many years past, there have been practically hardly any sales in Ireland; the tenants, and landlords, and mortagees have all been expecting some further legislation. Now, I do not say there is anything like finality about any legislation. We all know there is not. But it seems to me this Bill will be probably one of the last great measures for the purchase of land in Ireland. We all know what has been said by large numbers of people in the country of both Parties with regard to State credit being pledged for this purpose. I myself do not join with those who have said that State credit should not have been given for the purchase of land in Ireland, for I have found the necessity of dealing with this matter. So great is the responsibility of Parliament with regard to the condition of land in Ireland—so heavy is that responsibility — that I have thought if there were no other means of foregoing the difficulty, it would be right to use the State credit. But a large party in this country are opposed to it. In fact, I may say, both Parties in this country have at different times used the strongest arguments against employing the State credit for the purchase of land in Ireland. The present Bill is, no doubt, the extreme measure which could have been carried through Parliament at the present time. No doubt alterations and Amendments may have to be made in it, but I think I am right in saying that this will be probably the last great measure which will be passed for land purchase by the Imperial Parliament. Now what will be the result of it? The result of it will be, I think, that if this view is taken by the majority of people in Ireland the deadlock to which I have referred will come to an end. Mortgagees will foreclose. There may be some sales, perhaps, at low prices in the Land Court; applications to sell will come before that Court, and there will once more be sales under it. That alone will bring about an enormous revolution in agriculture in the country. I do not know whether people in general have contemplated the bearing of that result upon this subject, but I think they ought to have it before them. We hardly know what the effect will be yet; but it will no doubt be enormous, and will bring about a tremendous change in Ireland. I do not believe the Bill will very materially increase the normal amount of sales in Ireland. Up to the present time I believe only about £1,000,000 a year has been got through in carrying out the Ashbourne Acts. I am afraid there are some clauses in the Act, particularly the tenants' insurance clause, which will retard its progress. I must say I regret that clause very much. It is one of the most complicated in the Bill, and it will not only deter tenants, and small tenants particularly, from applying for purchases, but I am afraid it will prevent the Land Commissioners sanctioning the sales until there is sufficient security offered by the purchasers. I regret, therefore, that that clause should have been inserted. My Lords, I have thought it right to make these few remarks, and I shall not detain you any longer, but I thought, as I have so often spoken on this subject, and taken so much part in it, that I ought to state the views I hold with regard to this measure. I sincerely trust my objections may not be actually fulfilled. No one wishes more than I do to see this Bill working well in Ireland, for I know full well the land question in Ireland has been one of the most serious difficulties connected with this country. If we can get rid substantially of the Irish land difficulty, we shall have made great progress in Ireland, and we shall have cut away one of the great incentives to disturbance in that country. If a settlement is made by this Bill we shall be doing a great deal for Ireland; we shall be opening the way for other reforms in the government of that country which many believe are so essential, and without which I do not think there will be a complete and satisfactory solution of the Irish difficulty.

*EARL FORTESCUE: My Lords, I would not delay the progress of this important measure by speaking on it in its earlier stages; but now that it is on

the point of quitting this House, I would ask your Lordships' indulgence for a minute while I make a few remarks. My apprehensions are not in the same direction for the most part as those, as far as I can gather them, of the noble Lord who has just spoken. I must congratulate Her Majesty's Government, and especially Mr. Balfour, on the success which has attended their wise, and firm, and at the same time sympathetic administration in frustrating the efforts of the Irish Home Rulers, aided, I am sorry to say, by too many of their new allies the British Home Rulers, in trying to make the government of Ireland impossible by exciting the ignorant and intimidated population to lawlessness and boycotting, and dishonesty and outrage. But I must congratulate them still more on their legislation; and especially on their introduction and carrying so far through Parliament of this important, this comprehensive, and most skilfully prepared measure; and I will say that our gratitude is due also to the noble Lord the Lord Privy Seal for his conduct of the Bill through this House. It seems likely to neutralise to a considerable degree the enormous evils resulting from the faulty administration, and worse legislation, of their predecessors; and especially the unsound and unjust confiscatory Act of 1881, carried, I will not say under false pretences, but by statements which experience has shown to be, as we announced it would, entirely illusory. Some of us Liberals have the melancholy satisfaction of reflecting that we were not for a moment imposed upon by the very irrational assurance that that Bill would be for the benefit of the landlords as well as the tenants; and we did not omit to warn your Lordships of the confiscatory character of that Bill—that character which was aggravated by the discreditable appointment of men notoriously both incompetent and undeniably partisan to what was a very important, and ought to have been considered the almost judicial, office of Sub-Commissioners. The noble Lord the Viceroy of India showed the utter absurdity of the allegation of some Members of the then Government and their followers, who cited the great and sound land reform of that illustrious statesman, Stein, as a precedent for the Act of 1881; ignorant that the land reform of Stein substituted for the previous dual ownership single ownership, whereas Mr. Gladstone's Bill for the first time established double ownership over the greater part of Ireland. Nothing could be more diametrically opposite than the tendency and effect of the two reforms. The one has worked with great advantage in Germany up to the present time, but it gives the landowner full possession—absolute possession—of a part, and of part only, of their previously larger estates which were extensively held by tenants occupying large farms, and rendering for them feudal dues and services. On the other hand, it reduced the size of those farms, and handed over what was left of them to the tenants as their absolute freehold, exempt from all dues and services. What it did was to replace dual ownership by single ownership, and, as I have said, that reform has worked admirably up to the present time, while within the last two years the dual ownership established by Mr. Gladstone in the Land Act has been generally condemned. Its operation has been as undesirable as possible, though that, one must say, has been aggravated by the agitation of the Home Rulers in Ireland, practically aided and encouraged by their allies the Home Rulers in Great Britain. My Lords, we not only exposed the ignorance with which various assertions with regard to that Bill were made, but we warned your Lordships of its consequences. I remember myself saying that that Bill as I read it would deal hardly with the landlords in proportion to the good they and their predecessors had done and to the forbearance they had shown to their tenants. I appeal to your Lordships whether that has not proved literally true, whether the most liberal and beneficent landlords have not been those who have suffered the most from the operation of the Bill. I remember complaining of the vagueness of the language and pointing out that the Land Commissioners would not have for their guidance either distinct and definite enactment, or, since the measure itself was unprecedented, the guidance of precedents. Well, my Lords, we have seen the consequences of that, and that

Act has been, as I said before, I believe, universally condemned. But this Bill seems to me objectionable, and only, though amply, justifiable, by the state of general hostility to landowners as such, to which the previous administration and previous legislation have reduced Ireland. I agree with the noble Duke (the Duke of Argyll) in hoping that the gradual multiplication of smaller proprietors, exempted from the trammels and restrictions which the Legislature has imposed upon the present landlords of Ireland, may tend gradually to bring about a more healthy and natural state of things, and to recall the doctrines of political economy from Jupiter and Saturn, whither they had been relegated, or left apparently only for the study of diplomatists, but not meant for practical application, by the eminent members of the miscalled Cobden Club. Was there ever a more cruel irony than identifying that true patriot and eminent political economist—a man of the strongest conscientious convictions, and incapable, as his conduct showed, of sacrificing them either to popularity or to place—with a club whose most eminent members opposed political economy. But, my Lords, I wish to say that in my view the establishment of a body of proprietors exempted from the mischievous trammels and restrictions imposed upon the present landlords would be a very inadequate reason for passing an Act so objectionable in principle as we must recognise this to be. It is a remedy only less bad, though decidedly less bad, than the terrible evils—likely to last in spite of this Act through generations—which it has been brought in to counteract. I am utterly incredulous of the success of small farmers occupying and cultivating arable farms, except in a few places where a sparse population cultivating the rich soil in thinly inhabited districts may live in rude abundance. I do not believe there is in the world any instance of a number of small landowners living in anything like reasonable comfort, or, I would almost say, civilisation. The evidence which the late lamented Lady Verney collected with regard to the condition of a number of the small landowners in France and Italy seems conclusive as to the hardship of their lot, and as to the narrowing effect of their position upon their minds. Then we must remember that, as a rule, very small owners have very little capital. Two or three bad years are almost certain to drive them to the money-lenders. We know how deeply most of the peasantry of France and other European countries and also the ryots of India are indebted to these money-lenders. From the times of the early Romans down to the present the pressure of bad times upon the small owners and of their debts to the usurers have been a constant source of difficulty. I have said I do not believe in the competition of small arable cultivators with larger farmers. As one of the best northern farmers told a distinguished friend of mine, "The small freeholds mean small fields, and in the case of small fields the frequent turning of the plough alone would render the competition of the small cultivator hopeless as compared with the larger one." The plough is only one of the implements that have frequently to be turned; the harrow, the horse-hoe, the drill—if, indeed, small occupiers could afford to obtain or to keep such implements—whenever used, would necessarily be subject to the same disadvantage. Again, the skilful division of labour by the large farmer, that division of labour the advantage of which Adam Smith so lucidly and powerfully explained, would of itself alone place the small cultivator at a great disadvantage. The only two classes of cases, I believe, in which experience shows that land can be advantageously occupied in small portions are, first, those in which, being within reasonable access to markets, some produce of high value, requiring very detailed and skilful cultivation, is grown, such as the vine, whether for wine or for eating, or else various other fruits and the choicer vegetables; and the other case is that of dairying, where the loving and patient tending of each cow by the family, and the detailed care and attention bestowed in the manufacture of cheese and butter, compensate the great disadvantage of working on a small scale, and the absence of appliances, economical and advantageous in their use, but of course beyond the means of very small owners. In all other cases it seems clear, in spite of the essays and pamphlets we have seen, and the

speeches we have read from men who seem to have more acquaintance with agriculture and horticulture in books than in practice; in spite of them we have seen everywhere that the amount of produce raised with immense labour and great self-denial by the small occupier is wonderfully less, disproportionately less, than that raised by large farmers. The soil and the climate of France are infinitely more favourable, as a rule, to the production of wheat than that of England, and yet the disproportion between the average produce per acre is immense. The produce of France, owing to the manner in which the soil is cultivated, is, if I remember rightly, not very much more than half per acre of the average wheat produce in England. I have spoken of the indebtedness of small landowners from the earliest times of all races and in all parts of the globe: but what is the race that is to furnish this body of new landowners? Why it is the Irish, a large proportion of the tenants being, as their "illiterate" votes would seem to indicate, uneducated. They are many of them—the majority of them—miserably bad farmers, both ignorant of, and averse to, improvements in agriculture; they are improvident, and, lastly, they are about the most prolific race on the face of the earth. And yet, if the industrious French peasant — and those Irish are less industrious than they were, because they have been demoralised by ceaseless agitation weaning them from their work, and exacting their attendance at meetings of all sorts—when we find that the industrious and painfully thrifty French peasants are, as a rule, largely indebted, even with so small an average of children in their families that in the rural districts the next generation will barely keep up the existing population; what are we to expect from the poorest of the Irish peasantry? I confess that I take a very gloomy view of the future: and I will end by repeating that I think this measure would be very objectionable if it had not been rendered desirable—nay, almost necessary—by previous maladministration and unwise legislation; and such being the case, I do feel that the country owes a great debt of gratitude to the Government for devising and proposing, and having carried this measure almost completely through both Houses of Parliament.

LORD HERSCHELL: My Lords, before the noble Lord rises I wish to ask for an explanation with regard to the 44th clause as it has now been amended. That is the clause which defines the annual value of a holding. As far as I know, the annual value of a holding is only defined to the purposes of the 9th clause, which relates to what has been called the tenants' insurance, and, therefore, the definition will have no effect but in relation to that guarantee. Of course, there it has an important effect, because the amount of the guarantee depends upon whether the purchase money exceeds 20 times the annual value of the holding as defined. Now, the first part of the clause defines the annual value of the holding as meaning the rent of the holding after deducting therefrom—putting it roughly —five years' average of poor rate, Grand Jury cess, and tithe rent-charge. Of course, that matter is perfectly clear, and it makes the sum an absolutely rigid one—a mere matter of calculation —the provision which allowed certain deductions having been struck out. But it is now followed by this proviso—

"Provided that after the advance applied for has been sanctioned, the purchaser may apply to the Land Commission to determine the annual value, and thereupon such annual value shall be ascertained by the Land Commission in the manner prescribed by the rules made by them, as provided in such case."

That is, where the application has been made to the Land Commission to determine the annual value, the tenant's annual value shall be so determined. What I wish to know is whether, under the last part of the section, the Land Commission are left at large to take any method of procedure they like in accordance with their rules in determining the annual value, and to take any matter they please into account, or whether it is intended to be limited by the earlier part of the clause, and that the rules must only provide for their taking into consideration the rent with the deductions for poor rate, Grand Jury cess, and tithe rent-charge. Of course, it will be seen at once that it makes a great difference according to which of those is meant. If the latter is meant, the clause is a very rigid and inelastic one;

but if the former is meant, of course the clause may be a very elastic one indeed, because it would well be open to the purchasing tenant to apply to the Land Commission to fix the annual value; and, if they are at large in the matter, of course they can take into account all the circumstances which would lead them to fix the annual value at something below that which would be represented by the rent minus the poor rate, Grand Jury cess, and tithe rent-charge. I should be inclined to think that the latter was the meaning of it, but I have discussed the matter with more than one, and I find that there is not altogether agreement as to what is the meaning. Of course, the matter should be made clear one way or the other. I need hardly point out that this is not a matter which concerns the landlord at all; it is a matter which concerns the State and the tenant, and it is a matter which will affect considerably a number of the tenants who will purchase, because the larger the annual value that can be fixed the more tenants there will be purchasing. It is an extremely important point, and I shall be very glad if the noble Earl can tell me what is intended by the clause.

THE LORD PRIVY SEAL (EARL CADOGAN): I am afraid I must regard the question which has been asked by the noble and learned Lord somewhat in the light of a conundrum. It is rather difficult to answer at the moment, because I am not quite sure that I understand his question. Perhaps I may state what I understand to be the meaning of the clause. For the purpose of ascertaining the annual value of a holding we take the rent with the deduction set forth in the clause, and the principle is to allow deductions in respect of taxes and impositions for which, of course, the tenant becomes liable the first time on purchasing the fee. The elasticity to which the noble and learned Lord refers is not only, I think, not to be desired, but is not to be found certainly under the first portion of the clause. But when we come to the second portion of it, I understand the contention of the noble and learned Lord to be this. It says that "after the advance applied for has been sanctioned, the purchaser may apply to the Land Commissioners to determine the annual value of the holding, and thereupon"—that is a very important word, as the noble and learned Lord will see — "thereupon such annual value shall be ascertained by the Land Commissioners in the manner prescribed by the rules to be made by them." I understand those words to mean that the annual value is to be ascertained by the Land Commissioners under rules to be made by them, but not in any manner contrary to the earlier portion of the clause; otherwise the two halves of the clause will read in exactly opposite directions. This is the only answer I can give the noble and learned Lord, though I admit I am not sure that I understand his question correctly.

LORD HERSCHELL: I have no right to speak again, but the matter is really of importance. The noble and learned Lord is quite right in thinking that what I alluded to was that proviso, as he says; and I think this is very important upon the question of its construction, because what strikes me is that its construction is not really what the noble Earl says is the intention. It is important to observe that it commences with the word "provided." It is made a proviso following upon the earlier part of the section, and is not a separate and independent section. That, of course, seems to imply that it is intended in some way to qualify what has been provided in the earlier part.

EARL CADOGAN: I only make the suggestion to the noble and learned Lord, but is it necessary because at the end of a clause there is a proviso that therefore the clause itself is modified?

LORD HERSCHELL: Generally when you have a provision and it is followed by the words "provided that," it is meant to qualify the provision. It certainly would be the construction of it. Then what is the meaning of this provision—that after the advance is completed they are to determine the annual value? There is no inconsistency between this and the earlier provision; but then comes the proviso that the purchaser may apply to have it fixed, and thereupon it is to be fixed in the manner, not "hereinafter provided," but it is to be fixed in the manner prescribed by the rules to be made by the Land Commissioners, which would seem to show that in that case the Land Commissioners would prescribe rules which

would leave the matter very much at large. That, it seems to me, is the true construction as at present advised, but upon the noble Earl's explanation I am very glad to hear it is not so.

EARL CADOGAN: Again I must apologise for my ignorance of drafting. I am really only asking for information. I do not understand that the words "in the manner prescribed by the rules" bear the interpretation that the noble and learned Lord puts upon them. Surely the annual value will have to be ascertained, in accordance with the earlier part of the clause. The words "in the manner prescribed by the rules to be made by them" do not refer to the scale upon which the value is to be fixed, but to the manner in which it is to be done.

*LORD MORRIS: My Lords, I think the views taken by the noble and learned Lord opposite (Lord Herschell) and the noble Lord below me (Earl Cadogan) are to a certain extent consistent. As I understand it, for the annual value, in the first place you must take the rent, and that rent is to be minus deductions. Then the proviso comes in, which, as the noble and learned Lord says, is always supposed to be an exception to the clause. The same deductions are to be made, and the same principle is to be adopted by the Commissioners in estimating the annual value that the earlier portion of the clause states; but that the Commissioners will have the power of fixing a lesser value, though on the principle of deducting the Grand Jury cess, the poor rate, the tithe-rent charge, and the taxes and impositions to which the tenant becomes liable on purchasing. That, I believe, is the meaning of the clause, and that is what I think was intended. At least, I have so understood. I have taken a strong view upon this clause, supporting it as it was brought up from the other House. I think there is nothing in the views either of the noble and learned Lord opposite, or of the Lord Privy Seal, antagonistic to the Commissioners proceeding on that principle in making the deductions.

THE EARL OF KIMBERLEY: An additional reason for that interpretation is that, as the clause originally stood, the Commissioners could not determine the rent if it was a judicial rent. The judicial rents were beyond their purview. Now, the very fact that you excepted the judicial, but put the other non-judicial rents within their purview, shows that it is impossible that you could have been dealing with the rent itself. That, I think, is the obvious meaning of it.

*THE MARQUESS OF WATERFORD: My Lords, I may say I am responsible for this Amendment, as it is only an improvement upon the Amendment which I moved in Committee, and when my noble Friend (Lord Erne) moved it I supported it, exactly on the grounds which my noble and learned Friend beside me (Lord Morris) has described to the House. I believed that by the Amendment many objections which were raised by noble Lords opposite, and other Members of the House, to my Amendment, would be met, and therefore I supported the Amendment on those grounds.

EARL CADOGAN: I have no right to speak again; but, at all events, we are agreed upon what should be the meaning of the clause. I do not know whether the noble and learned Lord opposite (Lord Herschell) could suggest any other form of words which would, as he thinks, more clearly carry out its apparent meaning; but, as I understand there is this unanimity with regard to it, I would suggest that it would be better to leave the clause as it stands.

LORD HERSCHELL: I have no other words to suggest.

On Question whether ("now") shall stand part of the Motion, resolved in the affirmative.

Bill read 3ª accordingly, with the Amendments.

EARL CADOGAN: My Lords, I have one Amendment on page 24, Clause 31, line 16. It is to omit the words "and all duties and functions consequent thereon." Those words were put in in Committee on the Motion of a noble Lord (Lord Castletown) who is not here, and I unfortunately allowed their insertion, as I did not quite realise the effect they would have. But the clause was arranged in another place, as it stood without those words, and I am afraid we cannot agree to its being disturbed. It was never contemplated that the duties

should be really discharged by the Commissioners of 1881, and it might happen that before the period mentioned in the clause the Commissioners would have practically done their work, and would have nothing to do. I think it will be obvious to anyone that it is hardly necessary to put in those words prohibiting them from taking part in the performance of duties which might be consequent upon their position. I therefore beg to move that those words be omitted.

Amendment moved, in page 24, Clause 31, line 16, leave out ("and all duties and functions consequent thereon.")—(*The Earl Cadogan.*)

Agreed to.

Other Amendments made.

Bill passed and returned to the Commons.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 203.)

Amendments reported (according to order); and Bill to be read 3ª on Thursday next.

MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL [H.L.].—(No. 215.)

Read 3ª (according to order), and passed, and sent to the Commons.

LAND REGISTRY (MIDDLESEX DEEDS) BILL [H.L.].—(No. 206.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

LUNACY BILL [H.L.]—(No. 216.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, this is a Bill which, from the experience of what has taken place, has been rendered necessary for the purpose of introducing some small Amendments. I do not think that, beyond the account of the Bill that is given in the preliminary notice, it is necessary to detain your Lordships at any length in describing its object. There are one or two points chiefly affecting Local Government which have been urged upon me, but at this period of the Session, if opposition were offered to any of them it would be impossible to pass the Bill. Your Lordships may, however, think that it is desirable that some of the Amendments suggested should be adopted, and I see that my noble and learned Friend, Lord Thring, has called attention to one defect in the Bill with reference to questions which may arise where a person has been kept in confinement in one place and has to be removed to another. Questions arise upon the removal of persons from one workhouse to another. A further matter which my noble and learned Friend, Lord Herschell, has called attention to, is the restricted power of appointing magistrates specially fitted and selected for the purpose of granting certificates under the Act. That matter has also not been left without prcper attention being paid to it. There are other Amendments of the same kind, but, as I have said, if there is any real opposition, it would be impossible to carry the Bill through now, and I hope that all the Amendments will command themselves to your Lordships, especially as they relate chiefly to matters of local government, and to getting rid of certain difficulties which have been found to exist in the method of administering the law. Some small items here and there have not been found to be completely successful. That is the whole object of the Bill, and probably your Lordships will think it right to give it a second reading. If there are any Amendments which noble Lords desire to suggest, they could perhaps be dealt with better in the Grand Committee.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Thursday next.

RANGES BILL.—(No. 226.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): This, my Lords, is a Bill which is founded upon the report of a Committee of the House of Commons assembled to inquire into the difficulties experienced by Volunteer Corps in obtaining land for ranges and such like purposes;

and to endeavour to find some way of obviating those difficulties. Clauses 1 and 2 give power to Volunteer Corps to purchase land, and also give power to any group of Volunteer Corps to apply to any County or Borough Council to purchase land for those purposes. Clause 3 deals with the machinery for the purchase of land, which practically will be this: if a Volunteer Corps desires to purchase land for ranges or such purposes they will petition the Secretary of State for War. The Secretary of State for War will make inquiries in the manner he likes, and if he satisfies himself that it is undesirable that the prayer of the petition should be complied with, he will quash it at once. If, on the other hand, he considers it desirable that the purchase should be carried out, he will then bring up an ordinary Provisional Order Bill in Parliament, which will be dealt with in the usual manner, and if the owners of land object to any portion of their land being taken, they will have the power of taking the Bill to a Select Committee. This machinery may appear at first a little complicated, but when your Lordships remember the rather large powers which are about to be given for the purchase of land, you will, no doubt, think it necessary to hedge in the Bill with every safeguard possible. Clauses 6 and 7 give powers to Volunteer Corps to borrow for this purpose the security, being first the land itself, secondly, the Capitation Grant, and further on in the Bill provision is made, that in case of its abandonment by the Corps the land shall revert to the Secretary of State, subject to the money borrowed being repaid. There are powers also given under the Bill to the Public Works Loan Commissioners to lend money for this purpose. I do not know that I need detain your Lordships by going any further into details. This is a Bill which has passed through the other House with no opposition and scarcely any comment, and I trust your Lordships will give it a Second Reading.

Moved, "That the Bill be now read 2ª."—(*The Earl Brownlow.*)

THE EARL OF KIMBERLEY: I need hardly assure the noble Earl that I have no objection at all to the principle of this Bill, which, of course, in itself, is very desirable; but I wish to call attention to Sub-section 3 of the 9th clause. That provides that if the Volunteer Corps is disbanded, the Council may appropriate the land in any manner approved by the Local Government Board, or may sell it for the best price to be obtained, and so forth. It seems to me that in accordance with our usual practice where land has been taken compulsorily, there ought to be a right of pre-emption in the owner of the land taken because otherwise land might be taken for a range and afterwards used for other purposes which might occasion great inconvenience or create a nuisance to the landlord. Again, the landowner might have consented to the land being appropriated for a range without any opposition, but would object to its being used in other ways, and I think if it is no longer required for a range, the landlord should have the privilege of pre-emption. Perhaps the noble Lord will consider whether he would have any objection at another stage of the Bill to bring in an Amendment to that effect.

EARL BROWNLOW: I quite see the object of the noble Earl, and I think such an Amendment as he suggests would be a decided improvement in the Bill.

THE EARL OF KIMBERLEY: Perhaps the noble Lord will consider in what form to put it. I will not read the Amendment now.

On Question agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.—(No. 223)

STAMP DUTIES BILL.—(No. 217.)

STAMP DUTIES MANAGEMENT BILL.—(No. 218.)

CONSULAR SALARIES AND FEES BILL. (No. 221.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Thursday next.

CHURCHES AND CATHEDRALS.

Address for—

"Return showing the number of churches (including cathedrals) in every diocese in

England which have been built or restored at a cost exceeding £500 since the year 1873; and showing also, as far as possible, the expenditure in each case, and the sources from which, in each case, the required funds were derived."—(*The Duke of Westminster.*)

HIGHWAYS AND BRIDGES BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 234.)

House adjourned at ten minutes before Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS.

Tuesday, 14th July, 1891.

PRIVATE BUSINESS.

HANOVER CHAPEL BILL [LORDS].—(*by Order.*)

SECOND READING.

Order for Second Reading read.

*(3.10.) VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): In moving the Second Reading of this Bill, I desire to give some reasons why the measure should be approved and referred to a Committee upstairs. Perhaps I ought to apologise for interposing in regard to a London Bill, but my excuse is that I have lived in London all my life. The present position of Hanover Chapel is somewhat unfortunate. The district is a very extensive one, consisting of a wealthy portion, and another portion which is very poor; and on the extreme edge of the richer portion this Chapel is situate. The congregation is consequently very scanty. The wealthy tradesmen of Regent Street do not stay in that part of London on Sunday, and as the congregation has to come from other parts it is naturally very small. The church itself is badly in need of repair, and quite £500 or £600 is required for this purpose, but there is no source from which such a sum can be obtained. The Duke of Westminster has come forward and offered another site, worth £20,000, for the erection of a new church in the centre of the parish, and in the midst of the poorer population. If that offer is accepted and the present church is sold, it is estimated that the sale will realise sufficient not only for the building of a new church, but to endow it adequately. One difficulty is that the present church has no residence attached to it. The clergyman resides out of the parish, but it is hoped that if the new arrangement is carried out, there will be sufficient funds to build a vicarage. There is certainly no reason why the Bill should not go before a Select Committee. The only argument against it is an architectural one. My hon. Friend the Member for the Knutsford Division of Cheshire (Mr. Tatton Egerton) has placed on the Paper an Instruction to the Committee to authorise the Charity Commissioners to amend the Trinity Chapel scheme, and give to the new church the same income as to the other churches under the scheme, and transfer the balance of the double portion given (under the plea of absence of endowment) to the Hanover Chapel to the Mother Church of St. George's, Hanover Square. No doubt the point raised by my hon. Friend is one that deserves consideration, and perhaps if the Bill goes before a Committee a case may be made out for a redistribution of the Trinity Trust. The promoters of the Bill are quite willing that the proposal should be discussed upstairs.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Viscount Cranborne.*)

*(3.15.) MR. NORRIS (Tower Hamlets, Limehouse): I rise to oppose the Second Reading of the Bill. I object to it because it involves the destruction of a consecrated edifice. Not any Petitions have been presented in favour of the Bill, but, on the other hand, four important Petitions have been presented against it. One is from the Vestry of the Parish of St. George's, Hanover Square, who object to the removal of the human remains now reposing in the vaults of the church. Many hon. Members will, I am sure, sympathise with that feeling. The petitioners go on to say that the building is not inconveniently situated, and that the proposed church will be situated in a bye street and not in the centre of the poorer populatlon. The second Petition is from the Trinity Trust, who pay £200 a year to free

sittings in the church, and contribute £50 a year towards the maintenance of the fabric, besides subscribing a moiety of the stipend of the incumbent. The third Petition is from the Society of British Architects, and the fourth comes from the Council of the Royal Academy. In my opinion, no case has been made out for the Bill. The portico is said to be a nuisance, but it is of great convenience to poor persons, who are able to rest there and to find shelter when it is raining heavily. In the next place, if it is intended to accommodate the poor the new site proposed will not be found more convenient than the present edifice. At the present moment there is a large population in the immediate neighbourhood of the existing church who will be much inconvenienced by its removal. The Bishop of London, who is said to be in favour of the Bill, is an advocate for additional churches in populous places. Why, then, destroy this, which occupies a conspicuous position in a crowded district? I regard the proposal as a desecration even if there were a necessity; but in this case there is no necessity, and I entertain a decided objection to the pulling down of these old edifices. The House will remember that similar attempts at destruction have been made from time to time even against the beautiful church of St. Margaret's yonder, and Canon Farrar wrote of those who proposed the Vandalism, as talking ignorant nonsense. It was likewise sought to destroy the handsome portico of St. Martin's, Trafalgar Square, for facilities of traffic, but the House of Commons rejected the proposal, as I hope hon. Members will do with this Bill.

MR. CHARRINGTON (Tower Hamlets, Mile End) seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day three months."—(*Mr. Norris.*)

Question proposed, "That the word 'now' stand part of the Question."

*(3.25.) COLONEL MAKINS (Essex, S.E.): If a church only 65 years old is to be regarded as an ancient monument, I am afraid there are a good many ancient monuments about the Benches of this House. The real question to be considered is the interest of the parish. As to the question of contributions towards the erection of the building borrowed on the church rate, it seems to be forgotten that church rates have been abolished, and I fail to see how any claim can be made on that account. Another sentimental argument is, that the church porch affords a comfortable shelter during rain, but if that argument is to have any force, there ought to be rain shelter provided in every street in London. The best argument for the removal of the building is, that it is a long way from the parishioners who wish to go to it, and I have always understood that now-a-days it is necessary to bring the church to the doors of the people, instead of requiring them to go a considerable distance in order to attend their church. One strong argument in favour of the Bill is that the generous offer of the Duke of Westminster may never be made again. On these grounds I hope that the common sense of the House will carry the Second Reading of the measure, and the recommendations which have been made by the hon. Member for Limehouse (Mr. Norris) can be dealt with by the Committee upstairs.

*(3.28.) MR. T. H. BOLTON (St. Pancras, N.): I think it would be a good arrangement to remove this church to a more convenient part of the parish, and from that point of view the Bill commends itself to our support. One of the objections which have been urged is that the removal of the church will involve the destruction of an architectural building of reputation. Now, the building is only 65 years old, so that it is not a very venerable structure, and as to its architectural merits there are differences of opinion. I am able to say, from personal knowledge, that the congregation is very small. I visited the church one Sunday morning, and was very much surprised at the smallness of the congregation. If the congregation I saw was a fair average, I do not think it is likely to be very much smaller wherever the church may be placed. Upon every ground I should regard the removal of the church as a desirable proposal. There is, however, another feature which deserves consideration. The intention is that the Government shall practically purchase the site. The Woods and Forests are to purchase it for a sum of £60,000, so I am told—a

price which will enable the new church to be liberally endowed. This is a consideration which certainly ought to be borne in mind, and I should be glad to learn whether the sum mentioned is a reasonable price. I should also like to know whether the parish as a whole has any claim upon the money, and whether there are any other claims. The church was, I believe, originally built by borrowed money on the security of the rates of the whole parish of St. George's, and I am under the impression that the debt was paid off out of money raised by the general body of parishioners. In dealing with the purchase price, I think the parishioners should have some voice in the distribution of the money.

*VISCOUNT CRANBORNE: The parishioners have been consulted, and have passed a strong resolution in favour of the Bill.

*MR. T. H. BOLTON: I have no doubt that the parishioners were consulted as to the proposition for the removal of the church from one part of the district parish to another, but were they consulted as to the propriety of endowing the new church out of public money? The present church is the property of the parish, and not of the people who worship in it. If the congregation is transferred to the new church, and the old site is sold for £60,000, the Duke of Westminster giving a new site worth £20,000, representing the old site, there will still be a large sum of public money to be dealt with. If it should turn out that the site offered by the Duke of Westminster is not worth £20,000, there will be a larger sum of public money appropriated? I think there are considerations inolved in the matter which will require careful attention, and I trust that if the Bill is to go upstairs, the Select Committee will, in the interests of the public, enter into a full investigation in order to ascertain first, whether the price to be paid is a fair one; secondly, whether the parishioners have any claim to the money; and lastly, whether there are any other claims. I trust also that the Commissioners of Woods and Forests will be called upon to give evidence that the price to be paid is a reasonable and proper price.

(3.35.) MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): As one of the oldest inhabitants of the parish, I desire to say a few words on this subject. The Royal Academicians object to the removal because the church was designed by Cotterill, but I should like to know why they never objected before when the Junior Army and Navy Club and other places designed by Cotterill were pulled down? Why, again, was the piastre in Regent Street removed? It was an architectural feature, but it was removed because it interfered with the shops and obscured the light. For the same reason this chapel is to be removed because very few of the public have attended it for many years past. The Crown claim the site, but they propose to pay £45,000 for it. Reference has been made to the removal of the bodies from the vaults, but there is an Act of Parliament which requires all disinterments of this nature to be conducted with decency. The Duke of Westminster, with his usual munificence, is giving a new site in Davies Street. That site is large enough both for a church and a vicarage house annexed to it. The passing of the Bill will be a great boon to the people in the West End. I shall support the Second Reading, and I may say, in conclusion, that the Bishop of London has given his consent to the scheme all through.

(3.40.) MR. H. BYRON REED (Bradford, E.): I beg to support the Second Reading of the Bill. I sympathise very much with the spirit which has animated my hon. Friend the Member for Limehouse in objecting to the measure. I am ready to admit that no interference with a place of worship should be sanctioned except after the gravest consideration and with full reference to the needs of the locality. As the result of the proposal there will be a large addition to the bulk of the church revenue. The exceptional value of the site will cause something like £45,000 to be paid into the funds of the Ecclesiastical Commission, and the munificence of the Duke of Westminster will further augment the value of the new edifice. Therefore, looking at the matter from a business view, and from the point of expediency, and without giving undue weight to sentimental considerations, which I thoroughly respect, I am inclined to think that the Church will make a good bargain by this measure. The only opposition comes from the In-

stitute of British Architects, and I am at a loss to understand why gentlemen of that profession should object to a proposition which must necessarily bring grist to the architectural mill. I hope the Bill will be read a second time and referred to a Select Committee, before whom all questions of detail can be threshed out.

(3.50.) MR. PICTON (Leicester): The hon. Member for Bradford (Mr. Byron Reed) has used a mercenary argument. He has expressed his surprise that the Society of British Architects should oppose a measure which will bring grist to their mill. Now, I sympathise to a large extent with the arguments which have been brought forward by the hon. Member for Limehouse. I am opposed to all change whatever, unless it is proved to be necessary. When once a change is proved to be necessary I am ready to support it, but I am bound to oppose it until its necessity is proved. In this case I do not think the change is at all necessary. It is said that the inhabitants who require the church are at the other extremity of the parish, but I do not see why we should draw a line of half a mile in a small ecclesiastical district, and I presume that there is no parishioner who cannot find his way to one of the churches in the locality; therefore there is no weight to be attached to the argument; but there are other questions involved which ought to be seriously considered. The Preamble of the Bill says—

"And whereas the site on which the said church now stands was granted by the then Commissioners of His Majesty's Woods, Forests, and Land revenues without consideration by a deed dated the 12th day of June, 1824, to Her Majesty's Commissioners as then constituted for building new churches."

It was granted without consideration. Not a single halfpenny was paid for it, and since 1824 the land has grown enormously in value. We have heard a good deal about the unearned increment, but here we have had a present made out of the possessions of the Crown, and not more than 60 years afterwards we are asked to remove the building to another site, and to call upon the Crown to pay the full value. I think that that is a proposition which ought to be resisted, especially as the Disestablishment and Disendowment of the Church are not far off. We are now called upon in reality to make at the public expense an immense addition to a Church endowment, and the result will be that when disendowment comes, we shall be told it cannot be touched because it is the private property of a Corporation. I know of a similar case in Liverpool, where £10,000 was asked for a piece of land which was given to the Church in a previous generation. It was only after a considerable amount of persuasion that £3,000 was accepted. Similar jobs—for I can call it nothing else—have been perpetrated by Ecclesiastical Corporations in other parts of the country, and now that the House has an opportunity of condemning such proceedings I hope it will do so. If it is necessary to remove the church, let the Church Corporation give back the land to the Commissioners of Woods and Forests; the Duke of Westminster will not withdraw his liberal offer of a site, and the parishioners can then go to work and build another church on the new site. In the interests of the taxpayers of the country I shall certainly oppose this bargain. The Woods and Forests only represent the interests of the struggling taxpayers, and why should they be called upon to give £45,000 for property which they once gave away?

MR. WOOTTON ISAACSON: The site does not belong to the Commissioners of Woods and Forests, but to the Crown.

MR. PICTON: That may be a distinction in name, but it is not a distinction in substance. The Commissioners of Woods and Forests represent the Crown, and the Crown represent the public; and when we speak of the interests of the Crown we speak of the interests of the public at large.

(3.57.) MR. BEADEL (Essex, Chelmsford), who was imperfectly heard in the Gallery, was understood to say: The matter is one which appears to me to require simply the exercise of a little common sense. Here is a church built many years ago which does not now answer the purpose for which it was intended, and I fail to see why the House should refuse to allow the parishioners to avail themselves of the opportunity to make other terms and to take advantage of the generous offer of the Duke of Westminster, by which not

only the incumbent and his congregation, but the parish generally, will be benefited. I shall certainly support the Second Reading.

*Sir J. SWINBURNE (Staffordshire, Lichfield): Here we have public property given for a church 67 years ago, and it is now proposed to remove the building without giving back the site, but demanding £45,000 for it. In reality, it is proposed to give it to one of the richest men in the world for a purpose which other people carry out at their own expense. I think it is an extraordinary thing for the Duke of Westminster to come here and ask for £45,000 to build a church and a vicarage in the richest parish of London. Any other man, owning the whole of the property around, would only be too proud to provide a church and minister's house for the people who contribute so enormously to his wealth. It must also be borne in mind that the entire parish will not participate in the benefit, but that it is to be an endowment for Church of England worshippers alone, nonconformists receiving no benefit whatever from this large grant of public money.

(4.0.) Mr. LABOUCHERE (Northampton): I was outside the House just before this discussion began, speaking to a friend of mine, who remarked, "This is just the time that we ought to be here, because it is at the end of the Session, when there are only a few Members in attendance, that the Tories are fond of running their little jobs." I did not think, at the moment, that the truth of the observation would have been proved so conclusively as it has been by this Bill. I do not think hon. Members opposite can have read the Bill. They seem to be under the impression that the money—£45,000—is to be expended in building a church and a vicarage. But when this has been done there will be a surplus, and that surplus is actually to be invested in securities, and the interest to be handed over half-yearly to the vicar as part of his emolument. So that not only is it proposed to build this church and vicarage at the public expense, but at a time when the majority of the country are in favour of disestablishment and disendowment, we are actually asked to endow a fresh church. I think there is a great deal of truth in what an hon Member said just now, that a great deal of the advantage of this bargain will go into the pocket of the Duke of Westminster. We all know that when an agnostic or any other wicked man in the neighbourhood of London wishes to convert land into a building estate he builds a church, or gives the site for a church, in order that his property may thereby become more valuable, and it is very obvious that the Duke of Westminster gives this land, not from any religious motive, but simply to increase the value of his property. ["Oh, oh!"] I know that hon. Members opposite are of opinion that gentlemen who do this sort of thing ought not to be accused of it, but I do accuse the Duke of Westminster of it. The present case is a most monstrous one. This land, which formerly belonged to the nation, was given for the one purpose of building a church — an estimable object, no doubt — but these speculative Churchmen want to sell it, and certainly, if the church is removed, it is only fair that the land or its value should be given back to the nation. I hope the House will decisively reject the Second Reading of the Bill.

(4.5.) Mr. COURTNEY (Cornwall, Bodmin): I cannot help thinking that we have had what somewhat resembles a storm in a teapot. I think the question of the disestablishment and disendowment of the Church has very little to do with the matter, but I may point out that even if the Church were disestablished and disendowed it would be perfectly possible to bring in a Bill of this kind. The main question for the House is whether it is for the convenience of the neighbourhood that the church should be removed, and upon that point there does not appear to be much doubt, as the people of the parish are in favour of the Bill. As to the question of architectural beauty, I think that very few persons whose opinions are of any value would say that this particular church is a beautiful edifice, although the porch may afford a convenient shelter. As to the use made of the interior, I have only visited the church once, and that was on a Saturday afternoon. If the attendance which I then witnessed was an average one, the services of the church cannot be very much wanted in the neighbourhood, as I found that I was myself one-fifth of the con-

gregation. The church has no real beauty of any kind that is sufficient to require us to retain the structure as a monument of artistic merit. In my opinion, a clear case has been made out for sending the Bill to a Select Committee.

The House divided:—Ayes 107; Noes 91.—(Div. List, No. 346.)

Main Question put, and agreed to.

Bill read a second time, and committed.

MR. PICTON: I beg to give notice that upon the further consideration of the Bill I will move that it be referred to a Hybrid Committee.

QUESTIONS.

HINDUSTANI REGIMENTS.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for India whether his attention has been drawn to the fact that the regiments, raised in the places of the four Hindustani regiments recently disbanded, though retaining the numerical titles of the disbanded or "converted" corps, are, in fact, new, being not only composed of other races but placed with some few exceptions as to juniors under a new cadre of officers; whether the band and mess funds of a regiment are, and have always been, considered by military authorities in England and India as its private property, and have, on disbandment, been distributed among its officers; and, if so, will he explain on what grounds the Government of India announced, in April, 1891, in General Orders, that the band and mess funds of the old regiments should be handed over to the new, although the officers of the new regiments were ready and willing to pay for what was handed over; and whether similar steps have been taken with regard to certain disbanded Madras regiments?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): There has been some irregularity in this matter. The Secretary of State will call for a Report from the Government of India upon the subject.

INDIAN RAILWAYS.

SIR E. WATKIN (Hythe): I beg to ask the Under Secretary of State for India whether the Secretary of State for India is prepared to sanction the connection, on the same gauge, of the 2,008 miles of metre-gauge railway now working in Rajputana, the North West Provinces, and Central India with the Kattiawar system, 334 miles in length, on the one hand, and the Oudh and Bengal systems, about 1,420 miles in length, on the other, thereby enabling direct and uninterrupted through communication over 3,765 miles of metre-gauge railway, constructed at a cost of £20,000,000 sterling (of which four-fifths were provided by the British Indian Government), but now separated into four distinct sections which can be linked up in one continuous whole by the construction of, in all, about 120 miles of new line in two short lengths, at an estimated cost of £200,000, excluding a permanent bridge over the Gogra River, or of £400,000 including such a bridge; whether the Secretary of State for India has received communications from the Bombay, Baroda, and Central India Railway Company, who work 1,672 miles of the metre-gauge State lines in Rajputana, Central India, and the North West, and from the Bengal and North Western and Rohilkund and Kumaon unguaranteed Railway Companies, who work over 1,000 miles of the metre-gauge lines in Bengal and Oudh, and also Memorials from the Chamber of Commerce of Upper India, Cawnpore, urging the completion of the connection in question; and whether he is in a position to state that such connection shall be carried out without further loss of time, as the railways affected are in a satisfactory financial condition, and are anxious to get the work done at once?

SIR J. GORST: My noble Friend the Secretary of State is fully alive to the advantages which may accrue from the connection referred to in the hon. Member's question, and is in communication with the Government of India on the subject.

MRS. MELVILLE.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for

India whether the Government of India have resolved to give Mrs. Melville, widow of the Superintendent of Telegraphs, who was cruelly tortured and murdered by the rebels in Manipur, no other provision than a pension of £100 a year for herself and of £18 a year for each of her two boys; whether he is aware that Mr. Melville had, at the time of his death, served the Government of India for 21 years, was in receipt of a salary of Rs. 800 a month, or about £700 a year, and could have returned home in 1892 on a pension of £400 a year; and whether, in view of the fact that Mr. Melville was a Civil servant employed in the execution of his duty, and was permitted by the Government he served to pass into Manipur without warning or indication of danger, insomuch that he carried no protective arms and had only two small-shot cartridges for his fowling-piece, the Secretary of State will recommend the Government of India to make some more adequate provision for the family of a man whose life was thus sacrificed through no fault of his own?

SIR J. GORST: The Government of India have proposed to the Secretary of State in Council that such provision shall be made for Mrs. Melville as would have been made for the widow of a military officer of corresponding rank, namely, a captain, if killed in action. The proposal is now under the consideration of the Secretary of State in Council.

MR. MACLEAN: I should like to ask the right hon. Gentleman if any comparison can be made between a Superintendent of Telegraphs and a military officer, who is bound to risk his life in action? Was not Mr. Melville employed in public work as a Civil servant, and permitted by the Government to pass into Manipur without the slightest warning that there had been a disturbance, or that any danger existed? I should also like to ask the right hon. Gentleman if the same principle which is applied to a military officer is applicable to an officer in the Civil Service; and, if so, why a different scale of pension has been granted to Mrs. Grimwood?

*MR. SPEAKER: Order, order! The hon. Gentleman is now putting an argumentative question.

SIR J. GORST: I cannot give the opinion of my noble Friend the Secretary of State upon such a matter without notice.

SIR W. PLOWDEN (Wolverhampton, W.): May I ask the right hon. Gentleman whether he does not consider that in reference to Mr. Melville he occupied a much better position than a military officer of the same rank?

SIR J. GORST: I cannot say what the opinion of the Secretary of State may be without notice.

MR. MACLEAN: Are we to understand that the question is still under the consideration of the Secretary of State, and that he is open to receive communications on the subject?

SIR J. GORST: Yes, Sir.

CASE OF AUSTIN BIRON BIDWELL.

MR. ALLISON (Cumberland, Eskdale): I beg to ask the Secretary of State for the Home Department whether he can now see his way to re-consider the case of Austin Biron Bidwell, who, in 1873, at the age of 25, was convicted of forgery, and sentenced to penal servitude for life, he having now suffered an imprisonment of 18 years, and having during that period conducted himself to the satisfaction of the authorities?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have repeatedly given the most careful consideration to the case of the convict Bidwell, and I regret that, having regard to the gravity of the offence, and to the prisoner's career of crime, I cannot, consistently with my public duty, advise Her Majesty to extend her clemency to this convict.

METROPOLITAN OVERSEERS LISTS.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Local Government Board whether he will grant the Return to be moved for to-day in reference to the Metropolitan Overseers Lists for the coming revision?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): This is a matter which does not rest with my Department, but with the Home Office.

ADULTERATION OF ARTIFICIAL MANURES AND FEEDING STUFFS.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Agriculture when he proposes to introduce and print the Bill promised some months ago dealing with the adulteration of artificial manures and feeding stuffs?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I hope to do so very shortly, probably this week—not with any substantial hope of its passing this Session, for, as my hon. Friend knows, it is a highly technical subject on which there is a good deal of difference of opinion; but because the criticism it may call forth will tend, I hope, to facilitate the passing of a measure on this subject next year.

THE 42ND HIGHLANDERS.

MR. J. WILSON (Lanark, Govan): I beg to ask the Secretary of State for War whether anything can be done for the survivors of the 87 braves of the 42nd Highlanders who, under Major Lawson (who was killed), held Sisseyghat against an army of rebels, numbering 2,000, on the 15th January, 1859, and repulsed them with great loss; and whether, at this late date, the survivors, who are now aged and unpensioned, will have speedy recognition?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have already undertaken to do the best I can with limited funds for some of the unpensioned survivors of the Crimean and Indian Mutiny campaigns, and the cases of the men referred to in the question will be considered with others.

THE FORTHCOMING NAVAL MANŒUVRES.

MR. T. H. BOLTON (St. Pancras, N.): I beg to ask the First Lord of the Admiralty whether he will be good enough to state the reason why daily newspapers were informed that Press representatives could not be accommodated in vessels of the Red and Blue Squadrons in the forthcoming Naval Manœuvres, while at the same time it was known that vessels in both squadrons were issuing invitations to private guests? The hon. Member also asked the noble Lord if he would inform the House why, when there were so many large and commodious vessels mobilised, all the large ones were placed in the Northern and Western Fleets, while none but small and incommodious ones were allotted to the Red and Blue Squadrons, which were supposed to be the more important squadrons; and whether he could inform the House if there were then any guests at all in the vessels of the Red and Blue Squadrons; and, if so, would he explain on what ground their presence had been allowed, having regard to the statement of the Secretary to the Admiralty, that the vessels of the Red and Blue Squadrons "have no accommodation for any one except their own crews."

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): In the Official Memorandum describing the Naval Manœuvres of 1891 it is pointed out that the operations are of a twofold character. The ironclads, in which accommodation can be provided for the Press, will go through a series of technical evolutions, which, though important as a means of training, are not interesting to the general public. The torpedo boats and gunboats, on the other hand, which have not accommodation for the Press, will be engaged in a series of operations which will be both useful and interesting. The Admiralty have therefore informed the Press of these circumstances, and have made arrangements accordingly. I have not interfered with the officers' discretion in asking occasional guests, who come at their own risk, and must put up with any accommodation they can get; but the Admiralty cannot in any way, so far as the torpedo squadron is concerned, undertake officially to provide accommodation for the Press of the country.

*MR. T. H. BOLTON: Am I to understand that accommodation is provided for the Press in the portion of the Fleet which is not interesting to the public, and that no accommodation whatever is provided in that portion which is interesting?

LORD G. HAMILTON: If the hon. Member ever went in a torpedo boat he would appreciate the difficulty of providing accommodation.

*MR. T. H. BOLTON: The noble Lord has not answered my question—why accommodation cannot be found for the Press, although invitations are issued to private guests.

LORD G. HAMILTON: Because the nature of the operations will not permit it.

SCOTCH SCHOOL BOARDS.

MR. CALDWELL (Glasgow, St. Rollox) postponed a question he had upon the Paper—To ask the Solicitor General for Scotland upon whose authority, and upon what evidence, he made the statement, on behalf of the Government, that School Boards in Scotland have made their financial arrangements for the current year upon the basis of the Minute of the Scotch Education Department of 11th June last; whether he is aware that the latest statutory date for School Boards certifying to the Assessing Authority is 12th June in each year; and whether, considering that the Minute of the Department only became law on 12th instant, the Scotch Education Department had any evidence that one single School Board in Scotland had made their financial arrangements for the current year upon the basis of the Minute?

POST OFFICE TELEGRAPH SERVICE.

MR. KING: I beg to ask the Secretary to the Treasury whether a Petition from the Inspectors of the Engineering Branch of the Post Office Telegraph Service, asking for consideration of the unequal terms on which they were placed by the raising of the scales of salary of Superintendents and Assistant Superintendents of provincial telegraph offices, was sent in in August last year; and whether a scheme for remedying the grievances of the men has long since been submitted by the Post Office to the Treasury; and, if so, will he explain why the decision on their grievance is delayed?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I understand that the proposal is now under consideration.

INFLUENZA.

MR. C. E. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Local Government Board if he proposes to institute any further inquiries into the origin, prevention, and treatment of the disease known as influenza, which has been again so fatally epidemic this year, having regard to the Memorandum of the Medical Officer of the Local Government Board, covering the elaborate Report of Dr. Parsons upon the outbreak of 1890, which Dr. Buchanan describes as showing that

"It is an eminently infectious complaint,"

and declares

"that it would be no small gain to get more authentic methods of identifying influenza, so as to get earlier opportunity for applying preventive measures"?

*MR. RITCHIE: Some further inquiries are being carried on by the medical staff of the Local Government Board, but I am advised that we must mainly rely upon clinical and pathological observation for the increase of our knowledge concerning the disease.

MR. DE COBAIN.

DR. TANNER (Cork Co., Mid): I beg to ask the Attorney General for Ireland whether he has seen the passage in the sworn declaration of District Inspector Seddall, recently presented to this House, to the effect that a person in Belfast sent a telegram to Mr. De Cobain in Yorkshire, apprising him of the issue of a warrant for his arrest; whether, considering that this telegram enabled Mr. De Cobain to escape from justice, the Government will cause inquiry to be made as to how confidential official information leaked out in Belfast; and whether the sender of the telegram has rendered himself liable to prosecution?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): No confidential official information leaked out in the case referred to. The telegram in question is believed to have been sent by a person who was watching the action of the informants in the interests of Mr. De Cobain. I have already directed the police to make full inquiries into the matter, in order to ascertain whether the evidence is sufficient to sustain a prosecution.

ACCELERATED MAIL SERVICE IN IRELAND.

DR. TANNER: I beg to ask the Postmaster General whether immediate steps will be taken to provide the inhabitants of the important towns of Wexford, Enniscorthy, and New Ross with an accelerated mail service; and if he is aware that business men in these towns have at present no opportunity of answering letters received by the mid-day train from Dublin until late the same evening?

*THE POSTMASTER GENERAL (MR. RAIKES, Cambridge University): There are considerable difficulties in the way of arranging for such a service as is indicated by the hon. Member, and I have agreed to see a deputation from Wexford on the subject towards the end of the present month. I am aware that at Wexford and New Ross there is no opportunity for reply by the day mail except for persons who live near the Post Office, but at Enniscorthy there is a short interval for reply.

LABOURERS' COTTAGES.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention, as President of the Irish Local Government Board, has been directed to the opposition offered to the building of labourers' cottages in the Doneraile Union; and whether steps will be taken to secure the acquisition of land for the erection of a cottage, under the Labourers (Ireland) Acts, for a caretaker at the entrance to Oldcourt Cemetery?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Local Government Board have no information as to any opposition being offered to the building of labourers' cottages in the Doneraile Union. I believe the Guardians have taken power to rent a number of cottages. I am not aware that there has been any proposition to erect a cottage at Oldcourt Cemetery.

HAULBOWLINE.

DR. TANNER: I beg to ask the First Lord of the Admiralty whether a communication was recently received by the Admiralty from the Cork Harbour Board asking that the Government should establish a naval station and shipbuilding establishment at Haulbowline; and can he state what was the nature of the reply given by the Admiralty?

LORD G. HAMILTON: I recently received a communication from the Cork Chamber of Commerce and Shipping on the subject of a shipbuilding establishment at Haulbowline, and, in reply, I stated that I could not undertake to add to the number of our present shipbuilding establishments, of which we had a sufficient number, and also that Haulbowline was not naturally adapted for the purpose, there being no local supply of skilled labour nor of the material necessary for iron shipbuilding.

MR. FLYNN (Cork, N.): Is the noble Lord aware that the guardship at Queenstown had to be sent recently to Plymouth or Portsmouth for repairs?

LORD G. HAMILTON: I believe that two ships have been sent to Devonport, but it was not because they wanted repairs.

DR. TANNER: Is it the fact that the *Triumph* had to be anchored within 500 yards of the dock gates, being unable to get into the dockyard?

LORD G. HAMILTON: I have inquired into the matter, and am informed that the harbour had been recently dredged, and there was a settlement, which, however, will be removed at once.

THE CORK UNION.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is a fact that a sum of £16,000 is due to the Cork Union under the Medical and Education Acts; and whether this sum will be paid at once?

MR. A. J. BALFOUR: It does not appear to be the fact that £16,000 is due to the Cork Union, but there is a much smaller sum—about £2,000, I believe—which will be paid to the Union.

BRIGADING OF VOLUNTEER INFANTRY.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Secretary of State for War whether, in view of the marked improvement in the movements and efficiency of the Volunteer Force since the Infantry were brigaded under officers of experience, and especially on last Saturday, he will consider the advisability of extending that system of

command and supervision if it can be done without much increased expense to the country; and whether, if so, the matter may receive attention during the coming Recess?

*MR. E. STANHOPE: The subject of the local command of the Auxiliary Forces is now engaging careful consideration.

STATISTICAL ABSTRACTORS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Chancellor of the Exchequer whether, as the summer season is now far advanced, he can state when the decision of the Treasury will be announced as to the leave which is to be granted to the Statistical Abstractors in Her Majesty's Customs, who were appointed in February last?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The Treasury has decided upon the leave which is to be granted to the Statistical Abstractors in Her Majesty's Customs, and the decision will be communicated to the Board of Customs at once.

THE EDUCATION ESTIMATES.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education when he intends to make his annual statement; and whether the Report of the Committee of Council on Education, and the Reports of Her Majesty's Inspectors, will be distributed to Members before the statement is made?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The opportunity for my annual statement on the Education Estimates must depend on the progress made with the preceding Votes. The General Report of the Committee of Council has been laid on the Table to-day, and will be circulated as soon as possible. The Reports of Her Majesty's Inspectors were presented on the 6th inst., and will be distributed in a day or two.

POSTAGE OF FRIENDLY SOCIETY CIRCULARS.

MR. ATKINSON (Boston): I beg to ask the Postmaster General if he will arrange to encourage thrift by letting postages on "arrears summonses" for subscriptions overdue to Friendly Societies be charged a halfpenny each, as allowed to tradesmen in issuing statements of account?

*MR. RAIKES: The question of surcharges on these circulars has for a long time occupied my attention, and if the hon. Member is alluding to the desire of the Friendly Societies often expressed for such an alteration of the rules as will permit of a statement of account being combined with a circular, I hope, in the event of the Post Office Acts Amendment Bill becoming law this Session, to be in a position to meet their wishes.

SALVATIONISTS AT EASTBOURNE.

MR. SCHWANN (Manchester, N.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the practical refusal of the Magistrates of Eastbourne to inflict punishment on those riotous individuals who attack the Salvation Army, whilst meting out imprisonment to the members of that body brought before the Bench; whether he is aware that there are only 38 policemen in Eastbourne, and that only 18 were on duty on Sunday last, the 12th instant, when it is said that a mob of some thousands attacked the Salvationists; and whether he can take any steps to cause the police of Eastbourne to be reinforced sufficiently to maintain order? Before the question is answered, may I read the following telegram from a witness:—

"I witnessed two attacks, one in the afternoon and another in the evening. The former was the most serious, as the small contingent of police were utterly unable to contend with the opposing force. In the evening the number of police was larger, and was under the personal direction of Superintendent Fraser, who frankly admitted their inability to effectually control such a mob. Instead of enforcing the law, the Magistrate seems to leave the vindication in the hands of the roughs of the town, and when the police arrested some of these self-appointed administrators for breach of the peace, the Mayor considered it in accordance with the maintenance of law and order to send to the Superintendent of Police a special letter to see what can be done in their behalf."

MR. ATKINSON: Perhaps the right hon. Gentleman will answer my question. If he will interfere to prevent the Magistrates at Eastbourne applying a clause of a local Act to the Salvation Army, which clause has been abandoned

at Torquay, and is not now acted upon anywhere else than at Eastbourne; if he will reduce the sentences of the members of the Salvation Army now imprisoned under this clause, so as to let them go free, and cancel convictions and penalties of £5 each, imposed upon domestic servants for marching in processions for religious purposes (such penalties not having yet been enforced, although imposed); and if he will call attention to the necessity of adequate sentences being passed upon roughs who are attacking the police and the members of the Salvation Army at Eastbourne?

MR. MATTHEWS: It is inconvenient, without notice, to read to the House a telegram reflecting on the conduct of the police, to which I cannot possibly give an answer.

*MR. SCHWANN: It is in connection with the question which I asked, and does not reflect on the police but upon their numbers.

MR. MATTHEWS: With reference to the question on the Paper, I have not had time to refer these particular questions to the Local Authority. I can only say that the Reports hitherto made to me assure me that the police protection afforded is quite adequate. I will, however, make further inquiry into this matter. I have no reason to believe that the Magistrates act otherwise than impartially in awarding punishment to those proved guilty of disturbing the peace, whether they are Salvationists or not. To-day's paper reports that one prisoner was convicted of disturbance in connection with these processions and bound over to keep the peace for six months; and in the case of the three men whom I referred to in my answer of June 15, the utmost punishment that the law allowed was inflicted. With regard to the position of the Home Office in the matter, I have nothing to add to the answer which I gave in this House on June 12 in reply to the hon. Member for Shoreditch.

*MR. SCHWANN: May I ask the right hon. Gentleman whether he has seen the report in the *Manchester Guardian* of to-day, in which it is said that the Chief Constable of Eastbourne appealed to the Bench to send some riotous *non*-Salvationist men for trial, as it was owing to the interference of the general public that the police found it difficult to stop the Army processions?

*MR. SPEAKER: Order, order! The hon. Gentleman must give notice.

*MR. SCHWANN: This is a very important question, Mr. Speaker.

*MR. SPEAKER: Order, order!

CENSUS RETURNS.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the President of the Local Government Board when the preliminary Report of the Census Returns for England and Wales, which was presented last week, will be issued?

*MR. RITCHIE: The last pages of the Report will be sent to press to-day, and I hope that it will be circulated before the end of the week.

PIER AT RED GAP, ON THE SHANNON.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received any Resolution or Memorial from the inhabitants of Labasheeda, County Clare, in reference to the building of a pier at Red Gap, on the Shannon, from which to ship and unload the imports and exports of that locality; and whether, having regard to the fact that when the Lord Lieutenant was on his late tour in that district, Colonel Lloyd and Mr. Reeves brought him to Red Gap, pointed out the necessity for the pier, and obtained His Excellency's promise that it would be erected, and also to the fact that there is neither pier nor landing-stage nearer Labasheeda than 7 miles on the one side and 12 on the other, he will advise or authorise the erection of a small pier at this point?

MR. A. J. BALFOUR: I have not been able to get information on this subject, and perhaps the hon. Gentleman will put the question down for Thursday.

AN INDECENT PROGRAMME.

SIR J. COLOMB (Tower Hamlets Bow, &c.): I beg to ask the Secretary of State for the Home Department whether he is aware of the fact that on Friday forenoon last a so-called official programme of procession, but without any printer's name, was sold in the streets; that one of the pages was entirely filled with disgracefully indecent matter calculated to corrupt and deprave

women and girls; and whether, pending such action as may be possible to bring parties concerned to justice, he will consider the expediency of warning the public against buying in the streets or elsewhere any publication which has not printed upon it the name of the printer or publisher?

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): With reference to paragraph No. 2, might I ask whether there was anything in this official programme to corrupt men and boys as well?

MR. MATTHEWS: I must leave the hon. Member to judge of that himself. With regard to the notice upon the Paper, I have to say that my attention has been called to this offensive circular. I am informed that the police took into custody a man for selling this leaflet. He was yesterday remanded for a week, in order to give the police an opportunity of discovering the printers. The matter is in the hands of the Treasury Solicitor, who will take such steps as the law admits of. The question of my hon. Friend will have the effect of warning the public, and I hope the pending proceedings will be effective in stopping the sale of such papers.

ORANGE LODGES IN THE ARMY.

MR. RENTOUL (Down, E.): I beg to ask the Secretary of State for War whether there is any foundation for the statement published in various newspapers that the Commander-in-Chief has decided to suppress Orange Lodges in the Army, and whether he knows of any reason for interfering with the lodges of the Society?

MR. H. BYRON REED: I should like to inform the right hon. Gentleman that I will not put the following question which stands in my name, because it has been altered, and the point taken out of it since I handed it in at the Table.

*MR. SPEAKER: The hon. Gentleman's question was out of order.

MR. A. O'CONNOR (Donegal, S.): Has the right hon. Gentleman any objection to lay on the Table of the House a copy of the General Orders issued by the Duke of York, 22, and the further Orders of the Commander-in-Chief, 35, against the formation of Orange Lodges as prejudicial to the Service?

*MR. E. STANHOPE: In reply to my hon. Friend, I have to say that the statement in the newspapers is substantially correct. Formerly Orange Lodges were forbidden by name, in the Regulations for the Army; but in recent years it has been held that they were sufficiently covered by the rule which prohibited among soldiers political meetings of any sort whatever. As it came to the knowledge of the Commander-in-Chief that an Orange Lodge had been formed in a regiment in contravention of the intention of the Queen's Regulations, His Royal Highness gave orders for its being dissolved.

THE IRISH EDUCATION GRANT.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any conclusive decision has been come to with respect to the appropriation of Ireland's share of the new grant for primary education in the present financial year?

MR. A. J. BALFOUR: I had hoped to be able to deal with this question in the present Session, but perhaps it will be better to defer any final decision upon it until next Session, when the Government are pledged to bring in a Bill. If it were not passed before the end of the financial year a Supplementary Estimate could be brought in for allocating the money.

THE GERMAN CONVICT MÜNCH.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department if there is any necessity for further delay in announcing his decision with regard to the German convict Münch, now lying under sentence of death, whose execution is fixed for the 21st instant?

MR. MATTHEWS: I am informed by the solicitors acting for the prisoner that a Petition is being prepared in his behalf, and I have delayed announcing any decision in the case until I have received and considered this Petition.

THE KIOSK IN KEW GARDENS.

MR. CREMER (Shoreditch, Hoxton): I beg to ask the First Commissioner of Works whether his attention has been called to the character of the refreshments served at the kiosk in Kew Gardens; what are the terms upon

which the contractor holds possession of the kiosk; and whether the conditions permit margarine to be sold for butter, the selling of bread and pastry which people are occasionally unable to eat, and serving tea from the bulk after promising fresh tea to each customer?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I have not had time to make inquiries into this matter, and must ask the hon. Member to postpone his question.

SUNDAY DRUNKENNESS.

MR. KENYON (Denbigh, &c.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a statement in the evening papers, that the number of convictions for Sunday drunkenness had increased in the County of Glamorgan to 3,636 in 1890 as against 3,190 in 1889; whether he has any means of knowing whether the statement is correct; and whether there are any special reasons for the increase which he can communicate to the House?

MR. MATTHEWS: The Chief Constable has furnished me with a Return showing that the figures, which are correctly quoted for the years ending May 31, 1890 and 1891, refer to convictions for being drunk and disorderly on week days. The figures for Sunday are 928 and 1,082 for the two years respectively. The Chief Constable is disposed to attribute the increase to the general prosperity prevailing in that part of the country.

THE PICTURES AT SOUTH KENSINGTON MUSEUM.

MR. ELLIOTT LEES (Oldham): I beg to ask the Attorney General whether he can inform the House if the Government can lawfully transfer the collection of pictures at South Kensington from the South Kensington Museum and the control of a responsible Minister of the Crown to the proposed new gallery under the management of a Board of Trustees?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The conditions under which the collections of pictures at the South Kensington Museum are exhibited are not identical in all cases, but, generally speaking, they cannot be transferred from the control of the responsible Minister of the Crown, and in the cases in which they could be permitted to be removed from South Kensington, the removal could only be for the purpose of temporary exhibition elsewhere.

THE TRUSTEES OF THE NATIONAL GALLERY.

MR. ELLIOTT LEES: I beg to ask the First Lord of the Treasury whether Parliament has any control over the Trustees of the National Gallery; and, if not, whether the Government are prepared to suggest any plan by which pictures paid for by the nation may be brought under the control of the nation; and whether the Government will advise the Trustees of the National Gallery to ascertain from the Science and Art Department whether any great risk attaches to the interchange between various Provincial Art Galleries of collections of works of art; and, if no such risk is to be feared, whether the Government will recommend the Trustees to adopt a similar system with regard to their less important pictures now loaned to Provincial Art Galleries under the National Gallery Loan Act?

MR. GOSCHEN: I will answer this question on behalf of my right hon. Friend the First Lord of the Treasury. The management of the National Gallery and the care and ordering of the national property deposited therein are vested in Trustees and a Director, subject to such regulations and directions as may from time to time be issued by the Board of Treasury. There would be no advantage in consulting the Science and Art Department as to the amount of risk attending the circulation of works of art among provincial museums. The objects lent by that department are conveyed from museum to museum under the care of experienced persons specially employed for that purpose by the department, but the National Gallery have no staff available for such a purpose. The Trustees and Director are of opinion that it would not be expedient to give any general sanction to the periodical exchange of pictures lent by them to provincial Institutions, as they consider that each application for exchange should be considered by them on its merits.

MR. ELLIOTT LEES: Is there no means of providing a staff? There are a number of pictures of the value of £250, and which would not be likely to suffer damage.

*MR. GOSCHEN: There is no staff at present, but it is a question which will have to be considered whether there ought to be a staff.

MR. ELLIOTT LEES: Could not some arrangement be made?

*MR. GOSCHEN: That is a matter which I will inquire into. I am not aware how far it has been considered by the Trustees.

MR. ELLIOTT LEES: I beg to give notice that I will go into this question on the Estimates.

ROAD MAKING IN THE HIGHLANDS.

DR. MACDONALD (Ross and Cromarty): I beg to ask the First Lord of the Treasury whether he has received a communication from the County Council of Ross-shire, begging him to restore to the Highlands the sum of £20,000 which had been granted to them for two successive years for road making and other purposes, but of which sum they have now been deprived, owing to its being absorbed in the grant for free education to Scotland; and whether he intends to grant the prayer of the petition?

*MR. GOSCHEN: A letter of the character described by the hon. Gentleman has been received by the Treasury, dated only July 4. There has obviously not been time for communication with the Scotch Office on the subject, but I must remind the hon. Gentleman that the appropriation of the £20,000 in question was made at the instance of the Scotch members. There is no indisposition on the part of the Government to sanction the allocation of a portion of the money falling to Scotland for these objects, and I should hope that the County Council of Ross-shire may see their way to appropriate for the purposes named some portion of the grant they will receive under the Vote to be submitted to the House this Session.

DR. CLARK (Caithness): May we assume that the money can be spent on road making.

*MR. GOSCHEN: I should fancy it would be so.

THE LONDON AND BRIGHTON RAILWAY BRIDGES.

MR. CHAMBERLAIN (Birmingham, W.): I beg to ask the President of the Board of Trade whether he is taking any steps to secure the safety of passengers pending the alteration of the bridges on the London and Brighton Railway which have been condemned by General Hutchinson, and are stated to require rebuilding during the next 12 months?

MR. CHANNING: Is it a fact that the Board of Trade has no statutory powers as to this? And is it also a fact that the Secretary of the London and Brighton line intimated a month ago to the Board of Trade that the work recommended by Sir John Fowler would be immediately put in hand?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Both those statements are correct. In reply to the right hon. Gentleman I have to say that the responsibility of providing for the security of passengers upon the London, Brighton, and South Coast Railway rests, as my right hon. Friend is aware, with that company, and not with the Board of Trade; but I am assured by the company that every precaution is taken, by constant supervision of all the structures upon the railway, and also by efficient arrangements, for working the traffic during the period of re-construction. The company have suggested that an Inspector of the Board of Trade should consult with the officers of the company with regard to the proposed works, and I will take care that this is done.

COURSE OF BUSINESS.

SIR W. HARCOURT (Derby): Can the right hon. Gentleman tell us on what date the Coinage Bill will be taken?

*MR. GOSCHEN: We must make considerable further progress with Supply before taking the Coinage Bill. We propose, however, to put it down for discussion by common consent after 12 o'clock.

SIR W. HARCOURT: Does my right hon. Friend propose not to take it any time before 12?

*MR. GOSCHEN: Not until we have made further progress with Supply. I understand that one hon. Member

who is anxious to speak upon it will not be able to attend Parliament much longer this Session, and in that case I will put the Bill down after 12 o'clock in order to afford him an opportunity of speaking on it. But I would not be justified in stopping Supply until we have made further progress.

*MR. SCHWANN: Can the right hon. Gentleman say when the Irish Land Bill will be brought down from another place, and also when the Indian Budget will be taken?

*MR. GOSCHEN: I certainly am unable to make any announcement at present, but if the question is repeated on Thursday, I will probably be able to make a statement.

MR. PICTON (Leicester): Will the right hon. Gentleman be good enough to say whether the Government include the Clergy Discipline Bill among the contentious measures?

*MR. GOSCHEN: The hon. Member will bear in mind that my right hon. Friend the First Lord of the Treasury made certain reserves, and this Bill was distinctly mentioned as one in which the right hon. Gentleman the Member for Mid Lothian felt a deep interest. I do not know whether it will be possible to persevere with the Bill, but perhaps I shall be able to let the hon. Member know a few days later.

MR. ILLINGWORTH (Bradford, W): Could it not be included among those measures which will not be pressed?

*MR. GOSCHEN: It was specially excepted by my right hon. Friend, and I am within the recollection of the House, when I say that he made a special reservation with regard to it.

THE TRANSATLANTIC CATTLE TRADE.

MAJOR RASCH (Essex, S.E.): I wish to ask whether the Government will give facilities for the Amelioration of the Transatlantic Cattle Trade in the Contagious Diseases (Animals) Bill, this Session. The demand for the Second Reading of this Bill was supported by the delegates of 140,000 members of the Seamen and Firemen's Union.

*MR. GOSCHEN: My hon. Friend knows that a pledge was given by my right hon. Friend the First Lord of the Treasury not to proceed with any further contentious measures than those named in his statement as to the business of the House. The Government attach very great importance to this Bill, but they would not, in the face of the opposition which they know exists, be justified, consistently with their pledges, in asking the House to devote time to this measure. The President of the Board of Agriculture is engaged on the subject, and he hopes to make arrangements which will to a very great extent mitigate the evils with which the Bill is intended to deal.

MESSAGE FROM THE LORDS.

That they have agreed to,—Bills of Sale Act (1890) Amendment Bill, without Amendment; Forged Transfers (No. 2) Bill; Purchase of Land and Congested Districts (Ireland) Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to facilitate the transfer of schools for science and art to local authorities." [Schools for Science and Art Bill [Lords.]

And, also, a Bill, intituled, "An Act to amend 'The Mortmain and Charitable Uses Act, 1888,' and the Law relating to Mortmain and Charitable Uses." [Mortmain and Charitable Uses Act Amendment Bill [Lords.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

(4.55.) Motion made, and Question proposed,

"That a sum, not exceeding £11,009, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1892, for the Salaries and Expenses of the Department of Her Majesty's Most Honourable Privy Council and for Quarantine Expenses."

DR. CLARK (Caithness): Is this sum put in the Estimates for the first time?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): It is mentioned for the first time.

MR. LABOUCHERE (Northampton): I should like to know what are the functions of the Lord President. There was a time when he was engaged in educational matters. That has ceased, because the Vice President looks after the job. There was a time when he had something to do with agriculture. That is now done by the President of the Board of Agriculture.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member is mistaken. The Lord President is distinctly interested in educational matters.

MR. LABOUCHERE: We are all interested, of course; but the Lord President gets a salary of £2,000, and does he for that take part in the work connected with education?

*MR. GOSCHEN: He acts as Minister.

*MR. CREMER (Shoreditch, Haggerston): What are the duties which the Lord President discharges? because the information we have received is of a very indefinite character. The duties should be onerous when it is considered necessary to pay him £2,000 a year for the performance of them. The Clerk of the Council, the deputy, senior and junior clerks, all receive large salaries, amounting in the aggregate to £6,620.

*MR. GOSCHEN: I can assure the hon. Gentleman that a great many duties attach to the Department. All Orders in Council pass through it, besides which the Office has a great deal to do with education. There is a great deal of work to be done both by the Minister and the Department.

(5.0.) MR. MORTON (Peterborough): I notice that one of the senior clerks is allowed to go away on military duty as Lieutenant-Colonel of Militia, and receives pay. I wish to know whether he is paid both as a Militia officer and as a clerk, or whether any deduction is made from his pay? That sort of thing would not be allowed among the junior clerks. I should also like some information about this £50 to purveyors of luncheons. I have noticed other sums of £25 for a similar purpose. It seems to me that these highly-paid officials should pay for the expenses connected with their luncheons out of their own pockets, as clerks in commercial houses are expected to do. I move that the Vote be reduced by the sum of £50.

Motion made, and Question proposed, "That Item A, salaries and wages, be reduced by £50, allowance to purveyor of luncheons."—(*Mr. Morton.*)

*MR. CREMER: I think some explanation ought to be forthcoming in respect of this item, and how it is that though it is a small office it has £50, while larger offices have only £25. It is an extraordinary thing that Members of this House who do not receive one farthing for their services have to pay a fair price for what they eat and drink in the building, while the clerks in the Government Offices, with high salaries, are supplied with refreshments at a price which entails a loss, because I assume the excuse is that the purveyor cannot get a profit on the prices he charges. These clerks are well paid, and we ought not to be asked to provide them with refreshments at a cheap rate, or to recoup the purveyor for the loss he sustains. I think the item ought to be rejected by the Committee. I wish also to ask a question as to the office hours of the higher and lower grade clerks in the Privy Council Office. I want to know what time they enter the establishment, what time they leave, and what hours they have for refreshment? I should also like similar information as to the hours of the other persons engaged in the office.

MR. LABOUCHERE: There is one point on which my hon. Friend is mistaken with regard to these luncheons. He says it is monstrous that these clerks should have luncheon for nothing, or at a cheap rate, while we have to pay for what we consume. But my hon. Friend forgets that this House votes £1,000 to the Kitchen Committee to provide coal and other things. I would point out that we must reform ourselves before we attempt to reform others.

DR. CLARK: I was not here when the £1,000 was passed, but next year I propose to move its omission from the Estimates, and I can, therefore, with a clear conscience, vote with my hon. Friend. There are only 10 clerks in the Privy Council Office, and yet we are asked to vote £50 for refreshments. In the Colonial Office, and some other offices, where there are large staffs of

clerks, there is no Vote at all for the luncheons. I think the Treasury ought to grant an allowance to all the offices or stop the allowance in the case of those which have it.

(5.5.) MR. JACKSON: It seems to me that there is a great deal of unnecessary time taken up in the discussion of very small matters. The hon. Gentleman who raised this question spoke as though these "highly-paid clerks," as he called them, got their luncheons for nothing.

*MR. CREMER: What I said was that the inference to be drawn from the appearance of this sum in the Votes was that they received their luncheons at a reduced rate, and that the purveyor in consequence sustained a loss, which is made up to him by these amounts. I did not say that they had free, but cheap meals at the expense of the nation.

MR. JACKSON: In other words the hon. Member repeats his statement, that the State is called upon to provide a luncheon at a loss for these clerks. Now, provision is made for obtaining food and refreshments in these offices, not in the interest of the purveyor, but in the interest of the public service. Anybody who knows anything about the affairs connected with Public Departments, knows it is impossible to carry on business unless a great number of clerks are in constant attendance. It is not even for the convenience of the clerks, but for the convenience of the public service that luncheons are provided in the offices, and no more false economy could possibly be perpetrated than to limit the opportunities of getting a cup of tea or a mutton chop in the office. I would point out that the Privy Council Office includes all the Education Office, and, therefore, it is not a small office. I do not myself think that £50 is at all too much, and I do not suppose the purveyor gets one fraction of profit out of it, the demand for refreshment being extremely irregular. The alternative is for these clerks to go to the nearest establishment they can find to get their luncheons, thereby losing a great deal more time. It is impossible to fix a particular hour at which a particular clerk shall leave, because Ministers may call at any period of the day for some important information, and, therefore, it is really for the great convenience of the public service that this allowance should be continued. The hours of attendance of the official clerks at the Privy Council Office are from 11 o'clock to 5 o'clock, and the messengers from 10 to 6. But most persons with experience of the Government Departments know that during a large portion of the year there is some one in attendance as a general rule until 7, 8, or 9 o'clock in the evening. It is not necessarily the case that the clerks do not stay a great deal longer than the official hours.

*(5.10.) MR. CREMER: The right hon. Gentleman has certainly not given a satisfactory answer to the question I addressed to him concerning the time allowed the clerks for lunch, and why it should be necessary to pay £50 to this purveyor. It seems to me that these officials do get their meals at a reduced price, and that we are called upon to make up out of the taxes the loss to the purveyor. I think we have a right to know who is the purveyor. It has been stated that it is one of the officials who provides these refreshments.

MR. JACKSON: I believe, Sir, the ordinary understanding is that there is half an hour for luncheon.

MR. MORTON: The right hon. Gentleman has not answered my question about the senior clerk.

THE CHAIRMAN: The hon. Member has moved a reduction on the luncheon question, and that must be dealt with first.

MR. MORTON: Well, I am not satisfied with the right hon. Gentleman's answer, and I do not admit his right to lecture us for seeking information on these Votes, whether the questions we raise are small or not. Surely he must know that if we can save the pennies the pounds will take care of themselves. It is a well-known fact that in public offices the clerks can take an hour and can go out if they choose.

DR. CLARK: I hope my hon. Friend will not persist in his Motion, because I think this Vote is being dropped by the Departments one by one. I think, however, we ought to know whether the luncheons are purveyed by one of the clerks or by someone outside.

MR. JACKSON: I believe it is usually done by the office keeper. I do not see that there is any harm in that.

(5.15.) MR. A. O'CONNOR (Donegal, E.): I do not feel called upon to champion the Government, but I cannot honestly sit here and listen to the grotesque caricature of the practice which has fallen from my hon. Friends. It would be perfectly impossible to administer many public Departments if the staffs were in the habit of going out to luncheon in the middle of the day. It would absolutely upset all discipline and would materially interfere with work. I think, however, it would be very much better if the Estimate showed that the money asked for is simply the wage paid to the distributing servants who take the luncheons from the kitchens to the various rooms. The purveyors are obliged to bring in servants to distribute the luncheons, and that is the whole sum and substance of the matter.

MR. LABOUCHERE: I do not see why my hon. Friend the Member for Peterborough should be blamed for discussing these unconsidered trifles. My hon. Friend is in the nature of an elephant, being able to crush an oak or to pick up a pin with equal facility. I really believe that the country gains by the arrangement for providing the clerks with refreshments in their offices. The £50 merely means that the office keeper has a retaining fee to supply minor refreshments and obtain assistance in carrying them about the offices.

*MR. CREMER: The hon. Member seems to have lost sight of the fact that the staff are paid high salaries, and, therefore, are in a position to pay for refreshments at cost price.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

2. Motion made, and Question proposed,

"That a sum, not exceeding £111,213, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

(5.20.) DR. TANNER (Cork Co., Mid.): I beg to move the reduction of Sub-head 2 by £500, in order to obtain information on certain points. Having from time to time obtained trustworthy information from men who spend their lives on the ocean, I think the insufficiency of medical provision and supervision on the transatlantic liners and in the Mercantile Marine generally with regard to steerage passengers demands greater attention. I think also that inquiry is needed with regard to the great risks incurred in consequence of the system under which master mariners at sea doctor the members of their crew without having any acquintance with the medical art. On several occasions I have brought these matters before the House. Many of these ships are sent to sea without sufficient accommodation for their steerage passengers, and many of the men have to crowd together in a most disgusting way. Some eight years ago the Board of Trade issued a Circular calling upon the surgeons to report any cases of overcrowding or of insanitary conditions; but no complaints have been made. This is because it is as much as the medical officer's post is worth to make any complaint. Two medical men have written largely on the subject, and their writings have been made public in the *Lancet* and the *British Medical Journal*. They are Dr. Irwin, who is now making a large fortune in the city of New York, and Dr. Leet, of Liverpool. Dr. Leet, who had had great experience in the Army Medical Service in Great Britain, became medical man on the steamer *Celtic*, of the White Star Line. He says he very soon found insanitary conditions, but he was indirectly warned all round to report nothing if his berth was to be a permanent one. After struggling with his conscience for two years he received his first snub, when he wrote a polite letter intimating that the steerage accommodation was of an improper character. His letter was treated with contemptuous silence. Three years afterwards he wrote another letter, drawing attention to the sanitary defects of the *Celtic*, and registered it at the Post Office to ensure delivery. This was also received with contemptuous silence, as was another letter, written a few months later, in 1886. The ship was laid up during the following winter, and when she was brought out again the managers dismissed Dr. Leet without giving him any satisfaction. He was dismissed simply because he acted according to the letter and the spirit of the Board of Trade

regulations and reported the insanitary condition of the vessel. I have myself been on board many of the ships belonging to different transatlantic lines that touch at Queenstown, and I know many of the men on board them. I know, from my personal acquaintance with these gentlemen, that it is absolutely out of their power to do anything to remedy the defects. In his letter to the *British Medical Journal* Mr. Irving says shipowners take precaution to comply with the minimum requirements of the law, and judiciously select men who will not see what they are not wanted to see in the interest of their employers. But I hope, though he has to do with capitalists who are large shipowners, the President of the Board of Trade will guard the interests of those poor emigrants who, in search of employment, leave this country for the Western Continent. Again and again have representations been made as to the necessity of medical men on board these liners being placed in an independent position with the means of making their remonstrances effective. In the present day all space in these passenger vessels is of the greatest value, and this makes the companies extremely covetous of any space which may be allotted for sanitary purposes. I would ask the right hon. Gentleman to recollect what has been done with regard to the Australian vessels. Medical men are put on board those ships who are independent and who are responsible only to the Board of Trade. But the position of medical men on board the steamers to America is not such as to enable them to discharge the duties required of them by the Board of Trade. Vessels proceeding from Liverpool to America are inspected by Board of Trade officials at Liverpool and Queenstown. Nothing can be more ridiculous than these inspections. The medical men stand in the gangway and look at the emigrants as they enter the ship. How can any one detect in such circumstances a case of zymotic disease? It is frequently found, shortly after a ship has put to sea, that there is an outbreak of one of these diseases. As a matter of fact it is ascertained, on making inquiries on the American side, that a great mass of disease is frequently imported into America in consequence of the sanitary regulations of the Board of Trade not being complied with. Again, the regulations of the Board of Trade with respect to hospitals are often disregarded. The hospitals are made use of for all sorts of purposes. It frequently happens that a purser, a doctor, or an engineer gives up his cabin to a passenger, and then finds other quarters for himself in the hospital. I know of one case when the hospital was turned into a sort of mortuary. This is the way in which the regulations of the Board of Trade are treated. If the medical man reports on the subject he gets what is technically called the sack and loses his situation. I know that the President of the Board of Trade has said that if a flagrant case were brought under his notice he would order a prosecution, but I can assure the right hon. Gentleman that it is absolutely impossible to get the information laid, for the people who could give it know that if they did so they would lose their situations, and the emigrants who suffer have not the opportunity — when they land their thoughts and efforts are at once turned to earning a living. Another point I wish to mention is that a distinct place should be set apart on board the vessels for keeping the medicine chest, and also for the compounding of medicines, which ought not to be done in the hospital. The situation of the hospitals, too, should be altered. At present they are generally established in the most out-of-the-way and inconvenient places, whereas they ought to be on the main deck, and placed amidships. It is of great importance likewise that the Board of Trade should take steps to insure a sufficient supply of fresh water on board the steamers that carry large complements of steerage passengers. At present the state of things in this respect is deplorable. I remember that not many years since a vessel named the *Servia* went across the Atlantic with 700 steerage passengers, and only one water tap was furnished to supply all these people with fresh water for all purposes—cooking, drinking, and washing. It was a miserable sight to see the strings of people waiting all day long to get the chance of a little water to quench their thirst, and how could there be health or cleanliness under such cir-

cumstances? There is yet another matter, perhaps even more important than any I have yet mentioned, to which I desire to draw the attention of the President of the Board of Trade. There are many of the smaller lines which carry emigrants across the Atlantic from England to America, but return laden with cattle, because the carriage of cattle pays best. When the vessels arrive at Liverpool they are, of course, in a very filthy and unwholesome state; and yet within a week, the cattle-pens having been removed, the vessels, only partially cleansed, and still in a filthy state, start again on the voyage to America filled with emigrants. No permanent sanitary regulations are observed on board such ships. Mr. Plimsoll interested himself in this matter, but little has been done by way of improvement. Two years ago I brought under the attention of the President of the Board of Trade a case in which 700 emigrants were battened down in severe weather for three days in a vessel going across the Atlantic, and this was done without any observance of sanitary requirements. Water was passed down to the emigrants only three times a day, and the condition of things that this led to was indescribably horrible. When such things take place in spite of the rules and regulations of the Board of Trade, it is necessary that some more stringent action should be taken. At present the ship's surgeon is powerless in the matter. My opinion is supported by high medical authorities, including the public medical journals, both the *British Medical Journal* and the *Lancet*, and they have argued in favour of providing an effective remedy by making the surgeons on board the vessels thoroughly independent of the shipowners, so that they may, if necessary, communicate freely and fearlessly with the Board of Trade. Great improvements have been effected in the emigrant service to Australia, and surely the same might be done in connection with that to America, and I earnestly trust the right hon. Gentleman will give the Committee some assurance that he will move in the matter. Then I would call the attention of the right hon. Gentleman to the case of trading vessels which are not carrying passengers, put to sea with a large complement of men on board, and are not provided with any medical assistance at all. My own experience as a medical man, and the information I have from medical friends in Liverpool, leads me to say that an immense amount of suffering and complications of diseases ensue from men falling ill or sustaining injuries on board ship and having no means of medical relief at hand. Of course the captains have had no medical training, and I think they should be obliged to attend a certain course of lectures. I find that this year there are no fewer than 21,779 vessels registered, of which 13,835 are sailing vessels over 100 tons, and 6,502 steam vessels. If one considers the enormous number of sailors on board those vessels, and the large number of families dependent upon them, the stronger will appear the necessity for steps being taken to secure that some medical skill is on board in case of need. You had Returns dealing with this matter in 1875 and 1882, but very little has been done with regard to it. Dr. J. F. Maguire, of Cork, who first called attention to the question, got on board one of these steamers without anybody knowing who he was, and was taken to America, so that he was able to throw considerable light on the horrors of the passage. Of course many of the faults of those days have been remedied, but many still remain, and as a medical man and an Irish Member, whose country has been decimated by emigration, the result, as I believe, of misgovernment, I think I should not be doing my duty if I did not call attention to these grievances. I believe that the more they are made public the more satisfactorily they will be dealt with for the benefit of the poor people themselves and of humanity.

*(6.5.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The hon. Member has gone at very considerable length into this matter. I do not at all question the importance of the subject, but on that account I should have been glad if the hon. Member had given me some little notice of his intention to bring it forward.

DR. TANNER: I should certainly have given notice, but I did not think there was any necessity for doing so. I said last year I would bring it on.

*SIR M. HICKS BEACH: I can hardly accept that as proper notice, but I do

not at all complain of the course the hon. Member has taken except on the ground that it renders me incapable of following him into the details. In 1888 the hon. Member made almost the same speech as he has made to-night. [Dr. TANNER dissented.] Well, that is my recollection. I think he will admit that I answered him to this effect: that I was anxious to put down any evils of the kind to which he alluded, and if he would furnish any detailed cases where those evils had occurred, I would have them thoroughly investigated, and the persons who might be found guilty punished. The hon. Member supplied me with no details, but, in spite of that, I soon afterwards directed an inquiry to be made at Liverpool by one of the highest officers of the Board of Trade. That investigation was made towards the close of 1888, and I was utterly unable to discover any ground for the accusation the hon. Member had made against the lines trading between Liverpool and America. When the hon. Member made a similar speech last Session, I made him the same offer as on the previous occasion, but no facts have been brought to my knowledge, and I am in the same position as before. With regard to the suggestion that it would be better if medical officers on these ships could keep their medicine chests in some place other than their berths, and that in some ships the situation of the hospital should be altered, I shall be glad to look into the point, and if I can make any regulations which will insure better sanitary arrangements, I will certainly do so. There must be some amount of hurry in the inspection of emigrant ships on leaving port, but I believe, after doing the very best in my power to make myself acquainted with the facts, that the medical officers intrusted with this duty perform it in an able, zealous, and competent manner. There may have been individual cases—I remember one—where an emigrant has been permitted to take passage who ought not to have been allowed to go on the vessel, but such cases are very rare indeed. I believe, also, that as regards the accommodation of passengers the requirements of the law are carried out. It is, of course, impossible to send an officer to go through the voyage on every emigrant ship to see that no regulation is broken during the voyage; but I think better of the medical profession than to believe that the medical officers will not be as ready to report any breach of the regulations as their brethren on land are to report on insanitary matters. The hon. Member's proposal that the position of medical officers should be independent of the shipowners, and the suggestion with reference to vessels on which there is no medical officer could not be carried out without legislation. I have no power to make any regulations dealing with those matters at all. I am afraid that I can only again repeat that if the hon. Member can produce any evidence of individual cases in which regulations of the Board of Trade have been broken during the voyage, I will not only have an inquiry conducted on the spot, but will also endeavour so to watch such ships in future that any further infringement shall be rendered impossible.

(6.15.) DR. TANNER: I am afraid I have not gained much, but I shall try and do my best in this matter as long as I am a Member of this House. I wish to ask the right hon. Gentleman whether it could not be provided that medical officers should report to the Board of Trade instead of to their owners. A point is made in the *British Medical Journal* about medical officers being called upon to report more fully than they are in the habit of doing.

*SIR M. HICKS BEACH: My impression has been that there was some duty incumbent on the medical officers to report to the Board of Trade, but I will look into that question.

(6.16.) MR. ROWNTREE (Scarborough): I wish to ask some questions respecting the Sea Fisheries Department of the Board of Trade. That Department is practically a new one. The Chief Inspector of Fisheries referred in his Report to a Conference, which it was proposed to hold in June, of the representatives of various Sea Fisheries Committees round our coast with the heads of the Department. I wish to ask whether the Conference was held, how many of the Sea Fishery Committees were represented, and whether a report of the proceedings will appear in the *Journal* of the Board of Trade. I think the Department is to be congratulated on the way in which its suggestions have been adopted around

the coast. The need for the Act is strikingly shown by the statistics as to the decrease in the catches of the deep sea fishermen in the North Sea. This is a matter of great national concern. If there has been any delay in putting the Act into operation, I think it is on the part of the Local Authorities and not on the part of the Board of Trade. I wish to direct the right hon. Gentleman's attention to one difficulty that has shown itself with regard to the effective carrying out of the provisions of this Act. Something like a third of the members of the Sea Fisheries Committees are nominated by the Board of Trade from those who are actually engaged in the sea fishing industry. Many of them are practical fishermen, and I believe the effect of appointing them has been most useful, as it has enlisted in the operation of the Act the sympathies of the men engaged in the fishing industry. In some parts of the country two or three, or even three or four, counties have united together and formed a Sea Fisheries Committee. The result is that the expense to fishermen attending the meetings is sometimes very serious, as attendance means a journey of 50, 60, 70, or even 80 miles. A fisherman going to a meeting so far away has to give up a day's work, and, in addition, incur expense amounting sometimes to as much as 11s. The result has been in some instances practically to prohibit the attendance of fishermen at the meetings. I understand that at present there are no means by which either the Board of Trade or the National Treasury can defray the expenses of the fishermen when called away from their homes on the work of these Committees. I am afraid the absence of any such provision must destroy much of the value of the Sea Fisheries Committees, and I would appeal to the President of the Board of Trade to consider whether something cannot be done to meet the difficulty I have pointed out. There is at present a Bill before the House which embodies several useful Amendments to the Sea Fisheries Act, and I confess I have been somewhat tempted to put down Amendments to that measure to carry out the object I have in view. I have refrained from that course, however, because the Bill is a very useful one, and I have been afraid of jeopardising its passing into law this Session. I congratulate the Board of Trade on the success which has attended their effort to give the workers in this industry some controlling voice over it. They have done more in this respect than any other Government Department, but, at the same time, it is to be regretted that the usefulness of their Act should be marred by the inability of any public body to pay the third-class railway fare of the fishermen who are members of the Committees.

(6.22.) MR. T. ELLIS (Merionethshire): The Report as to the working of the Sea Fisheries Act shows how generally the Act has been adopted, and I think the constitution of the Sea Fisheries Committees all round the coast has given satisfaction to everybody. I would suggest to the right hon. Gentleman that he should increase the usefulness and interest of the Report by adding a map showing the boundaries of the various sea fishery districts. I would also join in the appeal of the hon. Member for Scarborough, that some steps should be taken towards defraying the expenses of the fishermen attending the meetings. One of the most valuable provisions in the Sea Fisheries Act is, that a fair proportion of the members of the Committees should be practical fishermen. I believe the presence of fishermen on the Committees, and the other clause in the Act which enables the President of the Board of Trade to summon Conventions of the various Committees, will do more than anything else to make the Act of real value to the fishermen all round the coast. But the fishermen cannot attend the meetings in large and appreciable numbers unless some contribution is made to their expenses. Often the Committees meet at considerable distances from the residences of the men, who very frequently cannot afford the expense of attending. I trust the right hon. Gentleman will hold out some promise that he will devise some means by which some moderate allowance will be made towards the travelling expenses of the practical fishermen.

(6.26.) MAJOR RASCH (Essex, S.E.): I also should like to congratulate the right hon. Gentleman the President of the Board of Trade on the success of his Fishery Act—and I think that I have probably had as much experience of its

working in Essex as any hon. Member has had in any other part of the country. But my object in troubling the Committee is not to deal with that Act. I believe that Friendly Societies and Trades Unions that are on the Register may make terms with the Board of Trade, and, that being so, I should like to call attention to certain matters connected with the National Agricultural Labourers' Union. This Union was formed in 1873——

*SIR M. HICKS BEACH: I rise to order. This question has nothing to do with the Vote now before the Committee.

THE CHAIRMAN: I am not aware of the connection.

MAJOR RASCH: Shall I be able to call attention to this question on the Vote for the Friendly Societies' Register?

THE CHAIRMAN: I cannot commit myself to the future.

MR. BOLITHO (Cornwall, St. Ives): I think the right hon. Baronet opposite must be pretty well satiated with the praise he has received for his Fisheries Act from all sides of the House. Still, I beg to join in the general chorus. I have some knowledge of the question, and I am sure there are many good men indeed who are most able fishermen, well skilled, and competent to speak with authority on these matters, who are deterred from going to the meetings—especially from attending the conferences in London—in consequence of their inability to bear the expense. I trust the President of the Board of Trade will give some consideration to this subject.

(6.29.) MR. LLOYD-GEORGE (Carnarvon, &c.): I can confirm what has been said by my hon. Friend on this side of the House as to the value of the Fishery Act, and also as to the difficulty practical fishermen experience in attending the meetings of the Committees. I trust the President of the Board of Trade will provide some facilities for enabling County Councils or Committees to pay the expenses of these fishermen. The matter is one of great practical importance, as I have found on the Committee for the joint counties of Merioneth and Carnarvon, of which I am a Member, that, owing to the absence of practical fishermen, questions have very often to be decided by persons who are not practical, and who have to be guided by what they are able to learn from fishermen not in attendance. It would be a very good thing if practical fishermen could be induced to attend, but the only way to induce them is to pay their expenses. Another difficulty experienced in our county is this: We have no fishing harbour in Cardigan Bay at all. The fishing villages are so small that they cannot provide a harbour. There is no harbour, and there is no fund out of which we could provide one. I find that £24,000 is voted to the Fishery Boards of Scotland for the express purpose of erecting piers and harbours, and that is a subject to which I shall call attention on the proper occasion.

*SIR M. HICKS BEACH: I am very much obliged to hon. Members who have referred in such flattering terms to the way in which this Act has been carried out by the officials of the Board of Trade. I can bear testimony to the manner in which they have dealt with the matter, and I really think they have succeeded in giving satisfaction to everybody. With reference to the suggestion as to the publication of a map made by the hon. Member for Merioneth, I think I can arrange for that being done. The other point raised was the payment of the expenses of the fishermen's representatives on the Fishery Boards. I am not disposed to be very straightlaced in this matter, and I hope it may be possible to do something without raising the general question of the payment of the expenses of members of County Councils or of this House. I would rather approach the subject with the principle in view which obtains in the payment of the expenses of members of Royal Commissions. It seems to me that the subject should be brought on next year before the Conference of the representatives of the different Fishery Committees. We would then get an expression of opinion which could be considered by the Board of Trade. I hope I have shown that any recommendation they may make will meet with reasonable sympathy from me, should I have the honour to continue in the office which I now hold.

MR. ROWNTREE: The right hon. Gentleman has overlooked my question,

whether any Report is likely to appear in the Return?

*Sir M. HICKS BEACH: I think so, though I cannot speak with certainty.

(6.25.) Mr. A. O'CONNOR: The Report of Mr. Courtney Boyle on railway accidents ends with the statement that there is considerable danger to human life from overworking railway officials. I wish to know what regulations the Board of Trade have made since this Report was made, and whether it has been their experience that the Railway Companies put difficulties in their way? Sometimes signalmen are so exhausted as to make it clearly dangerous for them to be entrusted with the manipulation of machinery or the custody of trains where there are many crossings or where there are a large number of passengers.

*Sir M. HICKS BEACH: I have given very great attention for the past four months to this subject, having had the honour to preside over a Select Committee which has considered it. The Board of Trade has absolutely no power to direct Railway Companies as to the hours during which they may employ their servants. Whether we should have such a power, and in what way we should have it, are the points which have been under the consideration of this Committee. The matter is one of very great importance, and I can assure hon. Members that it is by no means escaping attention.

Mr. JEFFREYS (Hants, Basingstoke): Will the right hon. Gentleman explain why the salaries of the Grain Inspectors, which were to be transferred to the Vote for the Board of Agriculture, are still under the Vote for the Board of Trade?

*Sir M. HICKS BEACH: The transfer has been arranged, and these amounts merely refer to the current year.

*Mr. CHANNING (Northampton, E.): I should like to know when we may expect any practical results from the recommendations of the Maritime Conference as to the rules of the road at sea, on which a Departmental Committee is sitting, and how soon the necessary steps will be taken in connection with the United States and other countries to bring about a revision of the rules?

*Sir M. HICKS BEACH: The Departmental Committee reported some time ago, and we thought the first step to take was to communicate with other foreign countries with regard to several points in the Report. We have not yet received answers to all our questions. When we do the Committee will again meet to consider them, and then I hope the matter will finally be settled.

*Mr. CREMER: At the risk of being considered a bore, I wish to ask a question as to the hours of the clerks in the Board of Trade, and if I do not receive a general answer concerning the office hours in all Government Departments I shall repeat my question on subsequent Votes. The answer I received with regard to the Privy Council was that the hours were from 11 o'clock to 5 o'clock. I wish to know whether the hours are the same at the Board of Tr e? Then, Sir, I find on page 126 an item of £25 for the purveyor of refreshments, and the mystery to me is why a small office in another Department to which I have already called attention should receive £50, and this, a smaller one, only £25. I protest against these items, which really enable well-paid officials to obtain cheap meals at the expense of the taxpayers. I do not feel justified in asking the House to divide, but I certainly protest against these items appearing on the Estimates, and if they appear again next year I shall divide the House against them. There is another item in the legal branch—the salary of the solicitor—£1,800 a year. What I wish to know is whether he has any private practice, or whether he and his clerks are employed directly by the State for the whole of their time?

*Sir M. HICKS BEACH: The solicitor has no private practice whatever; he is solely in the employment of the Board of Trade. As to the arrangement for luncheons, it is the same in the Board of Trade as in other Offices. The reason why the item is only £25 I imagine to be that the offices of the Board of Trade are so scattered that the £25 is only for a small part of the entire offices of the Board of Trade. The hours are as follow:—In the main part of the Board of Trade, 11 to 5 for some clerks, and 10 to 5 o'clock for clerks of the Second Division; Bankruptcy Department, 10 to 5 all round; Seamen's Registry, 10 to 5 all round, and in the Patent Office 10 to 5 all round. I think that

answers the question of the hon. Member.

*MR. LENG (Dundee): I now rise to move the reduction of the Vote for the Patent Office by the sum of £100, in order that I may have the opportunity of advocating the redress of a grievance which is felt to be serious by the large and important class of inventors in this country. Under Section 24 of the Patents, Designs, and Trade Marks Act, 1883, it is provided that the fees shall be such as may be from time to time, with the sanction of the Treasury, prescribed by the Board of Trade. The Board of Trade may, from time to time, if they think fit, with the consent of the Treasury, reduce any of these fees. It is evident, therefore, that the initiative in reducing the fees rests with the Board of Trade, so that, if there is, as I contend there is, a strong case for the reduction of these fees, and they are not reduced when they ought to be, the responsibility primarily rests with the President of the Board. The Chancellor of the Exchequer, in replying to a question I addressed to him early in the Session, admitted that the receipts of the Patent Office for the year 1889 were £93,534 in excess of the expenditure. The Report for the year 1890 since issued shows a large increase on that large sum, namely, £109,366. The Patent Office for the year, in round numbers, yielded no less than £165,000; designs, £4,500; trade marks fees, £16,400; and sale of publications, £6,000; making a total of £192,000; while the total expenditure of the Patent Office was only £83,240. The right hon. Gentleman did not attempt to defend the exaction of fees in excess of the requirements of the Office, but he said that manufacturers did not object to fees which had the effect of extinguishing useless patents, and that it is in contemplation to spend a considerable sum on new buildings to which the excess of revenue will be applied, although I observe that only £12,000 appears in the Estimates for this purpose. Now, I submit that the Chancellor of the Exchequer has been misinformed regarding the views of manufacturers. Within the last two years Mr. A. V. Newton, of Chancery Lane, presented to the Board of Trade Memorials from manufacturers and inventors in Liverpool, Manchester, Leeds, and London, praying for a reduction of these fees, and at the same time Mr. Barker, a patent agent in Birmingham, presented a monster Petition to the same effect from that city. The Memorials presented by Mr. Newton sought a reduction of £50, leaving the renewal fees to stand at £100. The Birmingham Memorialists went considerably further, and proposed that the fees should be reduced to £30. Mr. Newton has on several occasions brought the subject under the notice of the Board of Trade, in the year 1888, and still more recently. Mr. Whitelow, an active and intelligent patent agent in Manchester, has written extensively on the subject in the leading journal of that city, the *Manchester Guardian*, and also in the *Textile Mercury*. Mr. Eaton, of the International Patent Agency, Martin's Lane, London, an able and earnest advocate of reforms in our Patent Laws and their administration, has also prepared a very comprehensive Memorial on the subject which I hold in my hand. Numerous pamphlets have been printed, one of the most interesting and valuable of which is by Mr. Keith, an inventive and enterprising Scotchman now carrying on a large business in London. It was a statement in his pamphlet which suggested my first question to the Chancellor of the Exchequer. Since then I have been almost overwhelmed with correspondence from all parts of the Kingdom urging me to persevere with my advocacy of a reduction of these fees, and it is because I find such a strong body of opinion on the subject that I venture to bring it before the Committee. I may explain that the cost of a patent in this country is largely in excess of that in any other country in the world. The British Government exacts £154 for a patent for 14 years, against £7 10s. which has to be paid for a patent in the United States for 17 years. I am aware that the right hon. Gentleman the President of the Board of Trade, in answer to the statement—

> "That a patentee in this country had to pay a sum of £154 for 14 years' protection, whereas in the United States of America the cost was only £7 for 17 years' protection,"

recently contended that—

> "The position is not fairly represented, because protection is given for periods less than 14 years for sums less than the amount set out.

Protection for four years, for instance, is given in an ordinary case for £4, whereas the payments required to be made within the same period in the United States amount to £6 or £7."

In reply to this it must be observed that while protection for four years costs only £4, the payment of £10 for the fifth year brings that up to £14, being for five years about double the charge in the United States for 17 years. Our Government makes the heavy charge of £154 simply for registering and giving a certificate that a patent has been granted, the sole benefit of which is that it places the patentee in a position to begin legal proceedings against anyone who may infringe his patent. The Patent Office does nothing to ascertain or to guarantee the validity of the patent. This is all our Patent Office does for the £154 which it receives. On the other hand, the United States Patent Office, for the £7 10s. it receives, ensures the patentee a real title by a painstaking examination by the best experts. Computing the fees for the number of years for which the patents existed in the different countries, the average charge in each country is as follows:—

	£	s.	d.		
United States ..	0	8	5	per ann.	for 17 yrs.
France and Italy..	4	0	0	,,	,, 15 ,,
Belgium and Spain	4	4	0	,,	,, 20 ,,
Russia	5	10	0	,,	,, 10 ,,
Great Britain ..	11	0	0	,,	,, 14 ,,

It will thus be seen that this country is far behind even Russia, our fees being 100 per cent. more than those in that benighted land, while they are 2,500 per cent. more than those in the United States. As illustrating how these fees affect the number of patents issued, it may be mentioned that in 1887 the figures stood as follows:—

	Great Britain.	United States.
Number of Applications	18,051	35,613
Patents Granted ...	9,410	20,429
Income from Fees	£124,279	£228,902
Expenditure ...	...£81,577	£198,892
Surplus... ...	...£42,702	£30,010
Patent Fund ...	... None.	£651,498

This statement shows that while the small fees encourage the taking out of double the number of patents in the United States, the total amount of the fees is double that in this country, and a very large patent fund has been accumulated. This country, in effect, levies a heavy tax upon its inventors, on the men to whose ingenuity it is so largely indebted for its manufacturing and mercantile prosperity. The United States, on the other hand, makes the most reasonable charge on the inventor, with the result that almost every American citizen is a patentee. America encourages her poor newsboys, like Edison, to become distinguished inventors and millionaires, while the Patent Office in this country exacts fees which to many a poor man are prohibitory, and although in many cases he may scrape together the £4 charged during the first four years, he is quite unable to pay the £10, £15, and £20 per annum exacted during the remaining 10 years. I acknowledge that the right hon. Gentleman the Member for West Birmingham, when President of the Board of Trade in 1883, introduced a great improvement on the system which had previously existed. Under the Patent Act of 1852 the patent fee of £150 was required to be paid in two instalments of £50 and £100 respectively, which covered the patent for 14 years. Under the Act of 1883 the total sum of £154 was spread over 14 years in the following manner:—£1 was charged on filing the provisional patent, and £3 on its completion, so that for the first four years the total charge is only £4. Then from the end of the fourth year to the end of the seventh year £10 per annum has to be paid, for the next two years £15 per annum, and the next four years £20 per annum. These changes led to a large increase in the number of patents. Under the Act of 1852 the largest number of applications was in 1882, the total being 6,241, but immediately after the passing of the Act of 1883, which spread the fees over a number of years, the applications rose to 17,110, and they have gone on steadily increasing until in 1889 the number was 21,008. The easier method of charging the fees, although the total fees remained the same, has led to an increase in the number of applications for patents of between 300 and 400 per cent. The reason why the renewal fees were left unaltered in their aggregate amount was that it was feared that without these the administration of the Patent Office might be carried on at a loss, owing to the reduction brought about by the diminished fees. The question of

renewal fees was therefore left *in statu quo*, but now that it is plainly evident that there is no risk of such loss as was then feared (owing to the number of patents having increased four-fold through the easier method of paying the fees), the time has come to consider the question of renewal of fees *de novo*. The merits and demerits of renewal fees were never really considered. The small sum charged during the first four years has multiplied the applications, which last year were 21,300 in number, and the trade of Birmingham especially—where great ingenuity is shown in the making of small nick-nacks and appliances—has largely benefited, since the low initial fees enable small inventions having only a temporary sale to be protected for a number of years at a small cost. With inventors elsewhere, and particularly in Manchester and the North, the matter stands differently. Take a typical instance. A working man invents a new machine and patents it. In working it practically he discovers defects, which he removes within the first year or two by successive improvements, for which he takes out additional patents, as he can do for a small sum of money. It takes him some time after he brings out his machine to overcome the *vis inertiæ* of prejudice against novelties. When he begins to make headway, and expects some return for his labours, he discovers that the renewal fees on his original patent and its improvements are too much for his resources, and his patents are too frequently allowed to lapse, not because the invention as such is unsuccessful, but simply from lack of means to meet the taxes on his brains which the Patent Laws of the country impose, since these taxes during the next 10 years amount to £150, the result being that only 10 per cent. of all the patents granted survive for the full period of 14 years. They are literally strangled by these exorbitant renewal fees. I hold in my hand a large number of letters from inventors testifying to the crushing effect of these fees. One of my correspondents—Mr. Weir, Charing Cross, says—

"The answer Mr. Goschen gave shows clearly that he has no conception of the enormous injury that these heavy fees inflict on the country. I speak advisedly, because my son, an engineer, has taken out between 50 and 60 patents, and for every one of these patents, if carried out to the full term of 14 years, the Government takes £154. The same patent taken out in the United States costs £7 for 17 years. I know the United States very well, and every man who goes there and studies that country can see for himself that the encouragement given to patentees there is the principal cause that has led to the prosperity of that country. Capitalists there assist inventors. There is not £150 to deter them; so easy is it to get on with an invention there that this country is inundated with American inventions. Edison would never have made the name he has if he had lived in this country. Mr. Goschen should know that the inventors as a class are poor men kept down by these heavy taxes. Manufacturers will not help a poor man in this country. They know it is only a question of time when the invention will fall into their hands, and Mr. Goschen's answer to you, if he did but know it, was a manufacturer's answer, namely, that in a short time they would get the poor man's invention and his brains for nothing. All these thousands of pounds are taken out of the pocket of the poor man, and at the same time injure the progress of the country."

Mr. James Keith, of London, Edinburgh, and Arbroath, writes—

"Many working men in this country, seeing no hope before them of being able to meet these, to them, enormous charges, prefer not to patent their ideas at all, but do actually sell them to Americans, who take them up readily and produce the novelties in the States on a large scale, sending them over here again as *bonâ fide* Yankee notions, when they are really British inventions after all."

And again—

"During the present year I am paying at the rate of £150 per annum in renewal fees under the new Act, while, as time rolls on, these fees keep increasing in amount during the life of the patents till £200 per annum is reached on each. These figures, I think, speak for themselves, being taken from the practical experience of myself. Ordinarily, the crippling effect is tremendous, for how can any workman stand such payments?"

As corroborating what these correspondents says, I may mention that the number of applications to our Patent Office for patents from the United States last year was not less than 2,597, as against 14,000 from England and 1,000 only from Scotland. I could quote many similar passages from the sheaf of letters which I have beside me, but I think what I have read will suffice to establish that these fees are both excessive and injurious, and that they ought to be reduced. My belief is that even if the fees were reduced, and reduced very considerably, there would not be a proportionate reduction of the total receipts

of the Patent Office, but we should see that as the spreading of the fees over a number of years led to a large increase of applications, so would the lessening of the annual payments. Many more patents would be applied for, and many more payments made which would compensate to a large extent for the reduction of the fees. No one would object to a reasonable and prudent expenditure in enlarging the Patent Office. The accommodation at present for the extensive records that require to be kept is miserable. The Library is a limbo where inventors soon lose themselves, and give up searches in despair. Much might be done to improve the arrangements. A larger staff of examiners and compilers of abridgments should be employed, so that they might be brought closely up to date. Now they are 25 years behind time. The American system of examination should be adopted to prevent duplicating and triplicating patents for the same invention. In some points the Patent Acts should be amended, especially in conformity with the recommendations of the very valuable Report made some time ago by the Chairman of the Chemical and Allied Trades Committee. With a surplus of £110,000 a year to work upon, the Patent Office might do much to encourage poor inventors by purchasing from them inventions of real utility, and making them free to the public. The German Government frequently offers prizes as an encouragement to inventors, and one was recently offered for the best invention in railway train brakes. The method of dealing with modifications and additions to patents also admits of considerable improvement. It will be observed that I have not contended for the total abolition of renewal fees, but I say that to tax inventors £150 on each invention in a country which has so much to gain from the encouragement of inventions is most injurious, not only to the inventor, but to the country. I think, too, the period of protection might be extended from four to seven years. A comparatively small annual payment during the currency of the patent should suffice, and either £3 or £5 per annum would be quite sufficient. In conclusion, permit me to say that I think the present system of transferring the annual surplus from the Patent Office to the Treasury is very objectionable. When so transferred, the money is lost sight of, and inventors are apt to forget how heavily they are being taxed. During the last five years these surpluses have amounted to fully £360,000. I think the Patent Office revenue ought to be distinctly ear-marked and appropriated for the advantage of inventors, and not thrown hotch-potch into the general revenue of the country. It is extremely inconsistent on the part of the Government to grant large sums on the one hand for technical education, and then on the other to tax those who are technically educated and are turning their technical education to good account. We should not only endeavour to fetch up our leeway so far as technical education is concerned, but we should adopt all the enlightened methods we can devise to stimulate and encourage inventors in all the arts and crafts which are the foundation of our manufacturing and mercantile pre-eminence Did the President of the Board of Trade recently notice that on the 8th of April, at Washington,

> "A Congress of the inventors and manufacturers of patented inventions, to celebrate the beginning of the second century of the American patent system, was opened? President Harrison and the Members of the Cabinet were among those present."

The holding of such a Congress shows how much the American people appreciate their patent system and how they value its liberal provisions. If such a Congress were summoned in this country it would be for a very different purpose: it would be to denounce the illiberal, the exacting, the mischievous provisions of our Patent Laws. Instead of our Patent Office being a helpful promoter of inventions, it is a hard, niggardly, unsympathising tax collector, bent on screwing all it can out of the poor inventor, while aiding him as little as possible, and boasting what should be its shame, the confiscation of his invention for the benefit of the wealthy manufacturer or capitalist, simply because he cannot afford to pay the heavy fees it demands from the fifth to the fourteenth year of the patent. In conclusion, I would respectfully urge the right hon. Gentleman the President of the Board of Trade, and his Colleague the Chancellor of the Exchequer, no longer to look at this question merely from the manu-

facturer or capitalist's point of view; no longer to look at it from the Treasury point of view as to how much the inventors of the United Kingdom can be made to contribute to the taxation of the country. Rather let them take the broader and more enlightened views which are suggested by reference to the grants in aid of technical education; and by the representations which have been made in so many Memorials, letters, and pamphlets in the interest of inventors, advocating the reduction of these renewal fees not merely for the benefit of inventors, but for the advancement of our trade and manufactures, the employment of our people, and the prosperity of the country at large. I beg to move the reduction of the Vote by £100.

Motion made, and Question proposed, "That Item R, Salaries of the Patent Office, be reduced by £100."—(*Mr. Leng.*)

(7.25.) SIR W. HARCOURT (Derby): I should like to say a few words in support of the Motion of my hon. Friend, and urge upon the President of the Board of Trade to consider whether something cannot be done to reduce the Patent Fees. There is no matter which interests all classes of the community, and especially the industrial classes, more than the encouragement of invention. Inventions are a source of national wealth, and ought to be encouraged, as in the United States of America, which are vastly in advance of this country in the matter of inventions, especially inventions for the saving of labour. I would recommend the President of the Local Government Board to pay no attention whatever to his colleagues who sit upon that side of the House. I was about to congratulate him on the departure of the Chancellor of the Exchequer, but his place has been taken by that watchful dragon of the Treasury, the right hon. Gentleman the Member for Leeds. Formerly the Law Officers of the Crown had an interest in the patent fees, but that interest was abolished when my right hon. Friend the Member for Bury and myself held those offices. Our predecessors drew sometimes £10,000, £12,000, and even £15,000 annually from the patent fees, but the Law Officers of the Crown are now paid by salary, and the fees go straight into the Treasury. With an annual surplus of £120,000 the fees ought certainly to be reduced. The Patent Office ought not to be like the Post Office, which is a commercial undertaking, and, as I have always contended, ought to be a source of profit to the State. These fees are a tax on inventions which, after all, constitute one of the greatest sources of national wealth, and it seems to me that a more inexpedient tax than this could not be imagined. Inventors as a class are poor men, and one result of these high patent fees is that in order to be able to pay the fees they are, in too many cases, compelled to place themselves in the hands of rich men, who secure the greater portion of the profit of successful inventions. That has been the fate of the inventors of some of the greatest inventions which have distinguished the trade and commerce of this country. I know that the charges for the first year have already been largely diminished, but it is often the case that inventions do not become remunerative until they have been in use some time, and therefore I hope the President of the Board of Trade will see his way to reducing the fees still further. There is no matter more deserving of careful consideration. Under these circumstances, I hope the President of the Board of Trade will be able to give a favourable reply to the appeal made by my hon. Friend the Member for Dundee.

*(7.30.) SIR M. HICKS BEACH: I do not know whether the right hon. Gentleman favours the idea of the hon. Member for Dundee that the State should buy the patents of inventors at their own price.

SIR W. HARCOURT: Excuse me. That was part of my hon. Friend's proposal I had forgotten, otherwise I should have entirely disclaimed it. I certainly do not endorse the suggestion that the Government should buy all patents. In fact, I confined my support of the proposals of the hon. Member for Dundee to the question of the reduction of fees.

SIR M. HICKS BEACH: I am glad I have elicited so sound a doctrine from the right hon. Gentleman, and I will attempt to deal with that part of the speech of the hon. Member for Dundee in which he suggested that something should be done in the reduction of fees. The first question which the Government

have to consider is what they can afford to do. I do not suppose that the hon. Member or the right hon. Gentleman will argue that the cost of the Patent Office ought to be charged upon the general taxation of the country. Patentees, I think, should certainly provide for the cost of the office. On the other hand, I do not think that the country ought to look upon the Patent Office as a permanent source of income. The change which the right hon. Gentleman the Member for West Birmingham made in 1883 did make a very great difference in the fees received. In 1883 the gross receipts from patent fees were more than £211,000, but after the Act of 1883 came into force the gross receipts from patent fees sank to £88,000. The large increase in the sum derived from patent fees beyond the expenditure on the Patent Office, which of course is really the groundwork of the Motion of the hon. Member for Dundee, is a matter of very recent growth indeed, for in 1886 there was actually a deficit of £2,800 in connection with the Patent Office. The estimated surplus for 1891 is £116,500, and the Government contemplate very considerable expenditure for the benefit of the Service. I have thought it right to examine thoroughly the buildings in which the work of the office is done, and any more inconvenient buildings both for the gentlemen employed and the public I have never seen. Complete re-construction will be necessary, and it will cost fully £130,000. The money will be very well spent, because the re-arrangement will facilitate a more efficient and economical administration of the office, and after the reconstruction the public, who frequent the office in large numbers, will have convenient access to the specifications and to all the publications in the library. The expenditure will be provided for out of the surplus of the next two or three years. It is also very necessary to make more rapid progress with the work of the abridgment of specifications. Copies of the actual specifications are sent round to a certain number of public libraries, but only in very few places can they be turned to any public use. The public generally want abridgements, and to proceed with their preparation more rapidly will involve further expenditure, which must come out of the surplus from the Patent Office fees. The fact that this expenditure must be incurred being admitted, I am ready to acknowledge that there are grounds for considering whether something may not also be done in the direction of the reduction of fees. It is not quite right to compare the fees charged here only with those charged in the United States, and I, for one, would be very sorry to see the adoption in this country of the United States system, under which, by the payment of £7, a patentee can obtain protection for 17 years. It is my opinion that the right hon. Member for West Birmingham introduced an admirable system by the Act of 1883, when he provided that protection shall be given for four years on the payment of £4, and that if the patentee requires further protection he shall be asked to make larger payments year by year until the total period of 14 years is completed. I think that in any scheme of revision the system of making a small demand for the first years and of increasing the payment for the later years should certainly be adhered to. Comparison has been made between the total payment exacted in this country for 14 years—namely, £154—with the payment of £7 exacted in the United States. Ours, however, is not the highest payment required to be made, for in Germany the total sum paid for a protection of 15 years amounts to £265. It has been said that these patent fees constitute a tax upon invention. I deny that that is the fact when the payment is light for the first few years. A payment of £4 for four years cannot be regarded as a tax upon invention. It is a lower payment than is demanded by any other country for protection for a similar period. My view is that we should consider whether a reduction may not be made in the fees charged in the interval between four years and eight years, so as to extend the cheap protection now given for four years to a longer period. I do not believe that it would be to the advantage of the public or even of inventors themselves that patentees should be enabled to retain at a cheap rate during the whole period of 14 years patent rights with regard to patents which are not worked, and which are not likely to be worked. Such retention would be as great a hindrance

to invention as anything that could be imagined. If a patent is not taken up in a period of seven or eight years, is it likely to be taken up at all? If it is taken up, then the fees charged for the rest of the 14 years will be comparatively trivial as compared with the profits of the successful patentee. What has to be considered, then, is the position of the patentee who does not work his patent during the first four years, and I think that what should be done is to make the fees low for a certain number of years, during which the patentee can continue to look about for opportunities to work his patent, but we ought not, by lowering the subsequent fees, to encourage him to retain his patent rights unworked for the whole period. I trust that the hon. Member for Dundee will be satisfied with the statement which I have been able to make.

*MR. LENG: I beg to express my gratification at the assurance given by the right hon. Gentleman that he will consider the expediency of extending the period when low fees are charged. As to the proposed reconstruction of the Patent Office, I do not think that anyone will grudge the expenditure if the accommodation is greatly enlarged and improved.

MR. HOWELL (Bethnal Green, N.E.): I wish to know how the work of the Labour Department of the Board of Trade is going on. I have no complaint to make with regard to the work done at that office. The only thing I have to complain of is that it takes so long to do.

*SIR M. HICKS BEACH: I assure the hon. Member that this matter has by no means escaped my attention. Mr. Burnett has recently been appointed to a very honourable and responsible position, that of Secretary to the Royal Commission on Labour, for which I think the Committee will be of opinion he was eminently qualified, and I have made arrangements by which his work at the Labour Department will be carried on, of course under his supervision. With regard to providing permanent assistance, the hon. Member will find in the Estimates of this year an item for additional clerks, several of whom will be placed in the Labour Department.

MR. P. J. POWER (Waterford, E.): I wish to draw the attention of the right hon. Gentlemen to a matter I raised last year. The main entrance to Atherstone, small town in Warwickshire, is crossed by the London and North Western Railway on the level. It is unnecessary for me to remind the Committee that all the Irish, Scotch, Manchester, and Liverpool and other trains pass Atherstone——

*SIR M. HICKS BEACH: I rise to order, Sir. This is a matter in which I have absolutely no power.

THE CHAIRMAN: The question is outside the functions of the Board of Trade.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

3. £11, Bankruptcy Department of the Board of Trade.

(7.47.) MR. A. O'CONNOR: I should be glad if the President of the Board of Trade will inform the Committee what is the condition of the Bankruptcy Estates Account. Under the Bankruptcy Act of 1883 the fees which are levied in connection with bankruptcy business go to an account from which very large sums of money are transferred from time to time to the Exchequer, and, having been received into the Exchequer, they are invested or held on hand in case they, or some of them, should be wanted for bankruptcy administration. I do not think we have received any information since the institution of the account as to the sums which have been paid in or paid out, or as to the amount of invested capital which is now in the hands of the Exchequer, and yet the 76th Section, Sub-Section (2) of the Bankruptcy Act directs that the fees chargeable in connection with bankruptcy proceedings shall be fixed with reference to the amount of the dividends obtained from the invested sums. We know that the sums held by the Exchequer are very large indeed, because some years ago the interest obtained was not less than £22,000. It is true that since the Act of 1883 provision has been made for the appropriation of certain sums from the Bankruptcy Estates Account, to the purpose of furnishing accommodation in connection with the offices for bankruptcy business and for paying rent of bankruptcy offices; but I suppose that the sums received have been very largely in excess of anything required for such services. I venture to suggest to the right hon. Gentleman that if he will cause inquiry to be made, he will

find there is abundant capital in hand to enable him to effect very substantial reductions in the fees now charged for bankruptcy, and the more so that a great number of estates now show a deficit, and are unable to meet the low charges in connection with them. It is extraordinary that in this country the only people who apparently make anything out of bankruptcy are the bankruptcy officials and the Exchequer. The Exchequer gets year after year increasing profits at the expense of the unfortunate creditors. Under such circumstances, I think the right hon. Gentleman might accede to the application made to him over and over again that the fees in connection with bankruptcy business should be substantially reduced.

MR. HOWELL: I have before called the right hon. Gentleman's attention to the fact that no final settlement has yet been arrived at with regard to the Bethnal Green Bank. I do not like to repeat rumours I hear, but it is quite evident that those interested in the bank are by no means satisfied with the hands into which the affairs of the bank have fallen for winding up purposes. The people interested in the bank are very poor. They seem to have been swindled out of their money. They would be extremely glad if the right hon. Gentleman could do anything to bring about a settlement.

*SIR M. HICKS BEACH: With regard to the Bank at Bethnal Green I am afraid I cannot give the hon. Member any fresh information. It is some little time since the Bank failed, indeed, it was before the Act of last year came into force. With regard to the question of the hon. Member for Donegal, I think that if the hon. Gentleman will look at page 116, he will see an estimate there of receipts and expenditure on bankruptcy services. He will see that the interest on the money invested is estimated at £18,000. Then he will see that the total expenditure is estimated at £159,000, as against £138,000 receipts. Therefore, he is mistaken in supposing that the Exchequer makes a profit. I should be glad to see the bankruptcy fees reduced, especially in the case of those small estates to which the hon. Member referred, in which the fees and costs no doubt do swallow up a large portion of the estates; but it is difficult to reduce the fees when the state of the account is as shown on page 116.

MR. A. O'CONNOR: I think that if the right hon. Gentleman takes the trouble to compare what purports to be an estimate of the receipts and expenditure with the actual experience of two years ago, he will come to the conclusion that I have come to, namely, that the estimate of receipts for the year is not only wilfully, but grossly, understated. Does the right hon. Gentleman suggest that there is less bankruptcy business in the present year than there was two years ago?

*SIR M. HICKS BEACH: Certainly; there is a very considerable falling off in the business.

MR. A. O'CONNOR: Of course, I accept that statement. But as to the interest on money invested, I do not understand why they receive only £18,000, when two years ago they received £22,000, unless there has been some extraordinary expenditure so as to reduce the money in hand by a very substantial amount.

*SIR M. HICKS BEACH: Money has been paid out every year.

MR. A. O'CONNOR: Does the right hon. Gentleman mean that there is less money in the hands of the Treasury than there was formerly?

*SIR M. HICKS BEACH: That is my belief.

MR. A. O'CONNOR: Of course, I have no official information, and I give way.

Vote agreed to.

4. Motion made, and Question proposed,

"That a sum, not exceeding £33,173, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Board of Agriculture, and to defray the repayable Expenses to be incurred in matters of Inclosure and Land Improvement."

(8.0.) MR. LABOUCHERE: I have a notice to reduce the Vote by the amount of £2,000, the salary of the President of the Board of Agriculture, whom I am glad to see in his place. I can assure the right hon. Gentleman that in making the proposal to reduce the Vote I am in no sort of way suggesting that he is not a labourer worthy of his hire, or that he does not efficiently

perform the duties of his office; but when the Board of Agriculture was established there was, I will not go so far as to say a pledge that the Chancellor of the Duchy of Lancaster or the Lord President should assume the duties of the office, but there was a full and definite understanding that the establishment of the new Board should cost the country nothing. I do not say we have not got the value of it, but the additional cost is certainly £2,000 per annum. It had, until recent years, been the habit to throw the duties now fulfilled by the right hon. Gentleman in connection with the Department of Agriculture on the Chancellor of the Duchy of Lancaster, who receives as the Committee is aware a salary of £2,000, which is derived from the revenues of the Duchy, and, therefore, does not come upon the Estimates presented to the House. Of course, it comes from the taxpayers, but still it is an arrangement that does not admit of our challenging the expenditure directly. It seems to me we are paying the Chancellor of the Duchy of Lancaster £2,000 a year for doing absolutely nothing. Against the present holder of the office I have nothing to say personally. He formerly sat in this House, and is a gentleman deservedly respected, but still I do not see why we should pay the most respected Minister £2,000 for doing nothing. I therefore propose to take a Division for the purpose of eliciting an opinion from the Committee as to the desirability of combining the offices of President of the Board of Agriculture and Chancellor of the Duchy of Lancaster, in order that we may save the sum of £2,000.

Motion made, and Question proposed, "That Item A, Salaries, be reducedby £2,000, Salary of the President."—(*Mr. Labouchere.*)

*(8.3.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I quite understand that the hon. Gentleman moves this reduction not on account of any *laches* on my part, but because he thinks that the Chancellor of the Duchy of Lancaster for the time being should fill the position of Minister for Agriculture. As a matter of fact, by the arrangements made with regard to the Board of Agriculture, the cost to the country has been practically decreased. When the Board of Agriculture was first created there were—or had been very shortly before—three Land Commissioners, who received a salary of £1,500 a year each. The number is now reduced to two, so that at once there is a saving of £1,500. But besides this, I think that it is not difficult to prove, according to the Estimates, that there is actually a saving at the present time as compared with what has been the case under former arrangements. Taking the year 1889-90, as far as the cost of the direction of the Board of Agriculture was concerned, it was £7,950; for the year 1891-2 the cost is £7,530, or a saving of over £400. Therefore, I think that there is not any fair ground for complaint with regard to any large increase of cost—whatever understanding there may have been—and there has been no pledge, for I have referred to all the Debates on the subject. It has been suggested that the salary of the Minister of Agriculture should be defrayed out of the Revenue of the Duchy of Lancaster, but as a matter of fact that is the private revenue of the Sovereign. Under these circumstances I do not think that the hon. Member for Northampton has any ground for complaint.

(8.10.) MR. LABOUCHERE: In the interest of progress with the Estimates the right hon. Gentleman treads upon rather dangerous ground when he tells us that the revenue of the Duchy of Lancaster is the private property of the Sovereign. I do not want to go into that, because it would take an hour or so, but I decline to recognise that it is private property. A Cabinet Minister is paid out of it, and that Cabinet Minister has practically nothing to do for the salary. It was asserted in previous Debates that it is desirable there should be this post of Chancellor of the Duchy, because it is a good thing to have this means of rewarding a veteran statesman and so on. I do not believe in this rewarding of veterans myself. It was decided that the veteran should do something for the salary, taking upon himself the duty of the Agricultural Department. The right hon. Gentleman has admitted there were three Land Commissioners eating their heads off, doing nothing at £1,500 a year each. I am glad they have been reduced to two, and

I hope the others will be improved off the face of public expenditure. The right hon. Gentleman tells us we have positively saved £400 a year by giving him £2,000. Well, I hope that will encourage him in going a step further and join with me in trying to induce Her Majesty's Government to appoint him Chancellor of the Duchy of Lancaster, and thus another £2,000 will be saved. I shall divide the Committee as a protest against the existence of a Cabinet Minister who does absolutely nothing for his salary.

(8.16.) The Committee divided:—Ayes 40; Noes 71.—(Div. List, No. 347.)

Original Question again proposed.

(8.21.) MR. J. PARKER SMITH (Lanark, Partick): I have given notice of a nominal reduction of the Vote in order to call attention to the circumstances attending the Irish Channel cattle trade, the treatment and injury to cattle in transit. The right hon. Gentleman a few days ago gave a most emphatic expression of his sense of the importance of his duties and responsibilities. He said on Friday, in replying to a deputation—

"Parliament had imposed upon him by statute, as the representative of the Board of Agriculture, the responsibility of taking whatever measures might be desirable to prevent the unnecessary suffering of animals during their passage by sea, and such measures he intended to take, and, whatever might be the opposition, or however powerful the quarter from which it might come, he meant to do his utmost to carry out that duty to the best of his ability."

He was speaking this in reference to the Transatlantic cattle trade, but what he says applies equally to another class of the trade equally requiring attention—the transit of beasts coming from Ireland. In this transit the animals endure a great amount of suffering, and the trade is subjected to great loss.

DR. TANNER: I rise to order, Sir. My name is down to a Motion for a reduction, and the notice stands before that of the hon. Member.

THE CHAIRMAN: There is no point of order involved.

DR. TANNER: I shall be enabled to proceed with my Motion afterwards?

THE CHAIRMAN: Certainly.

MR. J. PARKER SMITH: The injury to the animals, to meat, and hides is very considerable. The extent of the Irish cattle trade is very large. Until the last two years it was double that of the live cattle trade between this country and the rest of the world, but in the last two years the increase in the trade across the Atlantic has been enormous. Still, the trade with Ireland is larger than that of all the rest of the world put together. In 1888, which is the last year for which I have the official figures as they appear in the Report of the Committee of the Privy Council, the total amount of the live cattle trade from Ireland to this country is given as 739,000 beasts—fat cattle, 283,000; store cattle, 406,000; others, 3,000; calves, 48,000. It is specially in regard to the fat cattle that the suffering arises, and the ports to which the cattle mainly come are Liverpool, Glasgow, and Bristol. In 1888 the number sent to Liverpool were 254,000; to Glasgow, 151,000; Bristol, 85,000. To other ports the numbers were comparatively small. The part of the trade to which I refer more particularly is that coming to Glasgow. Of the trade to the English ports I do not know so much; but, so far as I can make out, the treatment of the cattle coming to the Southern ports is better than the treatment of those coming into the Clyde. Of this portion of the trade there have been serious complaints for a very long time, and these complaints came to a climax in the end of 1888, in the special case of the cargo brought by the steamer *Seal*. The question was then taken up by the Glasgow Town Council, moved thereto by the Society for the Prevention of Cruelty to Animals and the Society of Fleshers of Glasgow. A strong remonstrance was sent to the Veterinary Department of the Privy Council at Dublin, and a petition numerously signed by the fleshers of Glasgow. These held a large and representative meeting at Glasgow, and a resolution was passed to the effect that the trade had, for a considerable time past, suffered great loss and injury through the bad condition of the cattle landed at the port. They stated in detail the grave complaints they had to make, and they suggested certain regulations. The meeting was a large one, and butchers attended it from Leeds and many other English towns. Following upon this a deputation waited upon the Assistant Under Secretary of the Irish Privy Council.

The memorialists represented the case in words which I shall quote—

"That in many cases the animals die upon the voyage in consequence of being trampled upon or gored by their companions, and even where the animals arrive at the Port of Glasgow, they are so bruised by having to pass through too narrow hatches when being shipped or landed, and by falls, goring, or other calamities, that they are quite unfit for human food when slaughtered.

That, besides being desirous to avoid the hardships and cruelty to which such a state of matters exposes the cattle, the memorialists have a deep personal interest in approaching your honourable Council because, while the animals may have been, as before stated, greatly injured during shipment, or landing, or on the voyage, this does not always appear at the time when the animal is exposed for sale in the public market, but on its being taken to the slaughter-house and killed and dressed; the bruises are then apparent, and your memorialists, or such of them as have purchased such bruised animals, have to suffer the loss, there being no recourse at law against the vendor.

That the memorialists cannot help remarking on the fact that cattle brought from a much greater distance than Ireland arrive in the very best condition, and especially that animals brought from Canada and the United States, even after passing through the stormiest weather on the Atlantic, arrive at the Port of Glasgow without a single animal being either killed or injured, and, as this satisfactory state of matters results from the manner in which the accommodation for cattle is provided on the Atlantic steamers, they believe that were similar regulations to be enforced on the shippers from Ireland, an improvement on the present condition in which the animals arrive would be at once effected."

They sent in a set of recommendations to the Irish Privy Council. After that there was a Memorial, in which the Royal Agricultural Society, the Highland Society, and the Dublin Society were represented, to the Lord President of the Council, and they put forward similar suggestions. Lord Cranbrook, in reply, said he considered the sufferings of the animals were due to their horning one another, and the right hon. Gentleman stated the other day that another cause was the excessive whacking from the sticks of the drovers. No doubt these two causes do account for a great deal of the injury done to the cattle. It is to be hoped that the Board of Agriculture will do something to encourage the dishorning of cattle which takes place in some parts of Ireland and sometimes in England. If this were done a great deal would be achieved in the direction of making the travelling of the animals more safe and less miserable. Much remains to be done beside that. Following on these representations to the Lord President there was an inquiry by the Chief Travelling Inspector of the Privy Council, who made a Report to the Privy Council. He admits in that Report that there is great suffering among the animals when brought across. He sets down a considerable part of that suffering—as the Lord President did—to the horning of each other by the animals themselves, and to the sticks of the drovers; but he goes a great deal beyond that. Though he speaks in a different tone to that he adopts when dealing with the Transatlantic cattle trade, and though he is rather cautious in his recommendations, he points out various defects in the fittings of the steamers which bring about a good deal of injury to the animals. He speaks especially of defective gangways—the gangways being too narrow—of the decks being extremely slippery, and of the vessels being badly ventilated. In a recent Report to a Departmental Committee of the Board of Agriculture in regard to the Transatlantic trade, he makes a recommendation as to the improved treatment of the animals which, as he says, would increase the freight from 50 to 100 per cent. That would mean a most serious charge on the cattle. It would mean almost prohibition of the traffic. But in dealing with the Irish cattle trade he is excessively cautious in pointing out the difficulties which would arise if arrangements were adopted which would have the effect of increasing the freight. For example, he speaks of sand. One of his suggestions is this—

"The steamers for the conveyance of cattle should have deck flooring, bottomed in such a way that sufficient foothold be given the animals, and also that sand, or other proper substance, should be provided."

But in another column of the Report he discusses that suggestion at some length, and points out that sand would greatly improve the battening. He says—

"A plentiful supply of sand would be useful in bad weather, but to be of much use it must be provided in large quantities, and would, therefore, be expensive. In fair weather the sand is not required."

If he is so very cautious about a little matter of that kind, he is, of course, more cautious when dealing with recommendations that would involve greater expendi-

ture. He speaks very strongly on the matter of ventilation. He says that one of the recommendations of the Committee of Fleshers is that "Improved ventilation on board ship is absolutely necessary." His comment on that is—

"Shipowners and all persons connected with the trade agree that the present arrangements for the ventilation of the holds of cattle-carrying vessels leave much to be desired. The difficulty is to find a remedy that will be effective and economical. The number of openings in the deck must be limited both in number and size, so as to avoid undue weakening of the ship's structure, and thus expose her to danger in bad weather. No mechanical means yet invented seems to meet with general approval. Neither natural nor artificial air drafts have yet been so arranged as to effectually remove the carbonic acid gas that accumulates in a hold crowded with cattle."

Later on he says—

"It is much to be hoped that human ingenuity will shortly devise some thoroughly effectual, and at the same time economical, means of providing an ample supply of fresh air to all parts of the vessels. In the meanwhile, if the suggestion of the Conference is to be carried out, the Travelling Inspectors submit that the best method of giving effect to the suggestion would be to require that a space or passage-way of, say, three feet in width, and running from the hatchway to every pen occupied by cattle in the hold should be left free from animals or goods. This would give a greatly increased breathing space for each animal, and would have the additional advantage of facilitating the proper tending of the animals during the voyage. It is, however, quite recognised that there is a serious objection attached to this proposal, inasmuch as it would inevitably increase the cost of freight by about 15 per cent."

If one thing came out clearly in the whole inquiry, it was that it is essentially necessary for the comfort and well-being of the cattle coming across the Atlantic that there should be these gangways and means of getting at the animals in all conditions of weather. It is almost equally necessary, even on the short passage from Ireland and Scotland, that there should be an improvement in the ventilation, which may easily be secured by insisting on wider gangways. According to the Report of the Inspector, the difficulty in the way of the enforcement of this precaution is the increased freight; but if it can be shown that animals suffer in value to the amount of 10s. or £1 a head by the injury they sustain in crossing from Ireland to Scotland, I think it is clear that the consignors would be repaid for the slight increase of freight by the additional precautions provided, enabling the animals to receive better treatment and to arrive at Glasgow safe and comparatively well. It is easier to insist on additional precautions in the case of Irish beasts than in the case of Canadian or American beasts, seeing that the freight in the case of the former class is less, and with the increased cost of the precautions would be a much less percentage on the total value of the animals. But if this were simply a question of pecuniary loss—simply a question of the consignor losing because he does not take proper care of his beast, I should not interfere. If it were a question of Irish eggs or butter suffering injury in transit to this country, the thing might take care of itself. But the thing that presses on my mind is the fearful amount of suffering that these hundreds and thousands of beasts have to endure year by year. Anyone who has seen animals being landed at the Broomielaw in Glasgow will feel that any efforts which he may make to lessen and prevent that amount of suffering from being inflicted will be time well spent and work well achieved. And there is this to be remembered: that the Travelling Inspector of the Privy Council in his Report says—

"There can be no doubt that almost all persons engaged about the transit of cattle become, in a short time, entirely indifferent to the sufferings they cause."

It is by looking at the thing from outside, and with a fresh eye, that you can really appreciate the immensity of the suffering that is from day to day going on, and that is being disregarded by those who become hardened and inured to it. Of course, accidents happen in this as in every other traffic. Such cases as the *Seal* accident occur, but we have also great accidents to passenger steamers—as, for instance, in the case of the *Princess Alice*. But what I want to bring before the Committee is that it is the average of the beasts which come across in quite ordinary weather, which undergo sufferings fearful to think of; and, in support of this, I have, in the first place, the evidence of the fleshers and dealers in cattle in Glasgow and other parts of the country; and, in the second place, the evidence of the Society for the Prevention of Cruelty to Animals. As to the former class of evidence, the fleshers are not likely to be over

squeamish in regard to this subject; and as to the latter class, the Society furnish me with specific instances which must be allowed to speak for themselves. I gave these cases with all their details to the right hon. Gentleman a short time ago, and in reply to a question I put to him shortly afterwards he said he was investigating them. I would now ask him whether the facts I then put before him are true, and, if so, whether they really represent—as my informants tell me they do—what happens every day in connection with this traffic? We find, on page 18 of the Report of the Travelling Inspector, the following:—

"At Glasgow, James A. Kirkwood, the Chairman of the United Fleshers' Society, introduced me to the various dealers then present at the wholesale meat market, who showed me all the carcases on sale which bore the marks of sticks, and I was assured about 30 per cent. are so injured, a badly marked carcase being valued by some at a sovereign less in value, while others placed the depreciation at a farthing to a halfpenny a pound. I may here remark that it is more fancy than reality as to the injury to the meat, as meat; but a marked carcase will not sell like another. It appears, if an Irish beast is hurt, it cannot be detected on its arrival until slaughtered and skinned, while in the case of American or Canadian stock, the injury being old, the scar is seen on the surface, and the butcher accordingly offers proportionately less; and, at present, they prefer to buy a Canadian against an Irish animal."

On this Mr. Kirkwood writes—

"Mr. Coupar reminds one of 30 head of Irish cattle he bought a short time before the memorial was framed from Messrs. Ternan's, and from the weight they turned out, had the carcases not been bruised, in the ordinary course of trade he would have netted £30 of clear profit, but from the damage they had received he sustained a loss of a little over £40, thus making a loss of £70 sterling to the country on 30 cattle. Mr. Watson says that with a large stock of Irish beef on hand, say six to seven carcases, he finds a great difficulty in supplying his customers with sound cuts. Mr. Sloan says the last Irish cattle he bought—seven in number—he had to cut four quarters of beef before he could get one perfect cut about 30 lb. to 40 lb. to suit his customer."

NOTE.—Mr. Sloan's cattle were free from the slightest appearance of "whacking," as Mr. Chaplain terms it.

Mr. Wm. W. Watt says—

"It is not safe for a butcher to buy an Irish beast until he is aware that it has been ashore for a week. When Irish cattle are killed immediately after arrival four out of every six are more or less damaged, and the meat very much deteriorated in value—so much so that a well-to-do butcher in Glasgow now rarely purchases an Irish beast. So strong are my feelings in regard to the injuries received by Irish cattle, that I have not bought one for many years back. Were proper care taken at the shipment, and vessels especially adapted for this particular trade, any additional freight that might require to be levied would be more than compensated for by the enhanced value of the animal on arrival."

I have also a statement from Archibald McConnochie, flesher, of Glasgow, who says—

"I am a member of the Committee of the Glasgow United Fleshers' Society, and have been so for several years past. I am also a Director of the Glasgow Meat Market Company, Limited, and have been in the trade all my life. I have read over Mr. Watts's statement regarding the transit of Irish cattle, and I fully endorse it in every particular. I have not bought for many years back a single Irish beast because of the treatment I know these animals receive in transit."

Now, as to the specific instances supplied to me by the Society for the Prevention of Cruelty to Animals—and here I would observe that for obvious reasons I withhold the names and dates. I have already given them to the right hon. Gentleman. In one case this is the Report—

"Four of the cattle, on being brought ashore by means of a steam winch, were seriously injured; two of them had their backs fractured, and were suffering internal injuries. These animals lay in the sheds suffering great pain for about three hours before a float was obtained, or any person looked after them. On going to the office they informed me that it was no part of their duty to remove the animals after landing them, and they did not consider themselves in any way responsible; but as the cattle were insured, they would remove them to the slaughter-house on behalf of the Insurance Company. The consignees alleged that they were not responsible nor supposed to take delivery of disabled cattle, particularly if insured, and in some cases they are not allowed by the Shipping Companies to do so."

Here is another Report—

"I may refer to another bad case which occurred on the 3rd February last, but which is not in my Report for 1890. On the arrival of the vessel two or three of the dealers asked the officers on board to inspect cattle in the after between deck. The officers went quietly aboard, accompanied by one of the cattle dealers, and made their way to the said deck. The steam and vapour charged with ammonia arising from them was so bad that it was very difficult to breathe. The heat was also very great, causing perspiration to run down their faces. They were unable to remain longer than a few minutes. The cattle from this part of the ship came ashore in a very wet and exhausted condition. The steamer carried 218 head of cattle and 11 horses. There were 120 head of cattle on the between decks in the condition referred to. After the

cattle were all removed, two brown bullocks were found to be dead, having been suffocated. Another bullock was found unable to rise or stand, and had to be put into the sling and taken on shore on a barrow, and afterwards conveyed on a float to the slaughter-house. This state of matters was caused for want of proper ventilation. I further learned from the cattle dealers who came across with the cattle that the night was pretty calm. The steamer left Londonderry about 8 p.m. on the 2nd inst., and arrived at Greenock at 6.30 a.m. on the 3rd inst. Leaving there at 9.15 a.m., she arrived at the Broomielaw about 11 a.m. The dead bullocks were valued at £21 10s. each. From further inquiry I ascertained that this steamer was used for other cargo, and had her ventilation holes all covered, and when used temporarily or occasionally for cattle her ventilators should be uncovered, which was not done in this instance. These are only a few cases of what can be witnessed regarding the Irish traffic; but owing to the obstacles placed by the owners of steamers in the way of access to them, the matter has in no way improved, and cases of a similar description are of almost daily occurrence. The cattle dealers in Glasgow have all the same complaint to make, and their evidence is corroborated by the officers of the Society."

The Chief Inspector of the Society in another communication says—

"On calm nights, and in the most favourable weather, when there is a very considerable number of cattle penned in the 'tween decks of the ordinary cross channel steamers, the temperature in these 'tween decks rises to a great height, which causes the cattle to steam badly. This produces an atmosphere saturated with ammonia and other foul smells, which is perfectly suffocating, and from this cause alone it is quite common that the cattle are either wholly or partially blind for the first few hours after coming ashore. The state of the atmosphere on a fully loaded 'tween deck, and the condition as to blindness of the cattle may be seen almost any day at this port during the shipping season. This cruel treatment is attributable, in a great measure, to the want of proper ventilation in the 'tween decks."

He adds—

"The sufferings of Irish cattle are caused also by the manner in which they are stored in these steamers in order that they may carry a large number of cattle. These animals are jammed into pens, and as they get exhausted by the foul air and the deck gets slippery, the weaker cattle become exhausted in their continued efforts to keep their feet, and finally fall down and are trampled upon. Before being killed by this means they are generally rescued by the bullock men in charge, who are supplied by the steamers for the special purpose of beating these exhausted cattle on to their feet again. It is alleged that it is owing to the presence of these bullock men that the number of deaths on board does not form anything like an adequate guide to the amount of sufferings and abuse endured by the animals. It must be understood that this represents the normal condition of the cattle on fully-loaded steamers in moderate to good weather; you can easily imagine their condition in bad weather. Again, there is no proper foothold for the cattle, which is essential to the safe carriage of cattle in any state of the weather."

Major Tennant, the Board of Agriculture Inspector, in one of his Reports, after speaking of the stench of Atlantic ships, says—

"The stench is not nearly so great as it is in the holds of many of the Irish ships, where cattle are carried covering the whole of the deck very often. I have been completely blinded in those cases sometimes."

Things are not so bad in the Transatlantic steamers as they are in the Irish steamers; the longer voyage makes it more imperative that more care should be taken. Three years ago the Travelling Inspector made recommendations as to better gangways and precaution in the way of using sand; but it does not appear that anything has been done to carry them out. Much responsibility devolves upon the owners of cattle for not sending fit men with them to see that they are taken care of and supplied with food and water, that the holds are ventilated, that unnecessary suffering is not inflicted, and that existing regulations are enforced. Hitherto official activity has been limited to the Transatlantic trade, and no great willingness has been shown to take up the cross-Channel trade. It is obvious that when you have the beasts under your care for a fortnight or so, it is necessary to take greater precautions than when they pass through your hands in the course of a few hours. I know that the right hon. Gentleman the President of the Board of Agriculture is anxious to distinguish his tenure of office by doing all he can to increase the comfort and mitigate or do away with the misery of the animals which come under his care. I regret, however, that the right hon. Gentleman has, as yet, done nothing with regard to this question, and it is in the hope that he will make some statement on the subject that I make the Motion which stands in my name—to reduce this Vote by the sum of £100.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £100, part of the Salary of the President."—(*Mr. Parker Smith.*) (9.1.)

(9.34.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

DR. TANNER: I listened to the remarks of the hon. Member for Glasgow with attention, and was awaiting a reply from the President of the Board of Agriculture. I was surprised to hear the hon. Member attempt to depreciate Irish cattle, but, as a matter of fact, as long as I have been in the House I have never listened to the hon. Member on any subject that had anything to do with Ireland without finding him make an attempt—I will not say an insidious attempt—to do harm to that country. What was the object of his extremely long speech, and of those bundles of statistics which he gave us? They led up to two points: first of all, that money should go into the pockets of certain classes—shipowners and cattle dealers—with which the hon. Member himself may or may not be connected; and, secondly, that the fleshers of Glasgow ought not to purchase Irish cattle when they can possibly get Canadian. We had a very discursive statement about the value of well-ventilated and well-appointed ships. Well, if we could have the best class of modern vessels—such as have been provided on some of the great lines at the instance of Mr. Plimsoll—for the carrying of cattle from Ireland to the shores of England, there would be a great deal to be said in favour of the hon. Member's argument, but you can hardly expect that you can have the same class of vessel for carrying cattle a short distance as you have for carrying them across the Atlantic. I submit that it is impossible to expect the class of vessels engaged in the Transatlantic trade to be employed in the short transit between Belfast and the Clyde. We even have better vessels plying from Cork, the passage being longer. From Cork the voyage is some 17 or 12 hours; therefore, the arrangements for the comfort of the animals are better. There is more space between decks in the Cork Steamship Company's boats or the Waterford boats than you have in the northern boats. If the hon. Member wants to do any good he ought to begin at home, because most of the vessels of which he complains hail from the Clyde, and are not Irish vessels. I have risen for the purpose of defending some of our carrying companies in Ireland, and I maintain that most of the Glasgow vessels that carry cattle are not so well adapted for the trade as many Irish vessels are; therefore, the hon. Member should not endeavour to throw so much blame on our poor country, but should try and mend the habits and manners of some of the Shipping Companies that belong to the town he represents. While, however, I seek to defend the Irish carrying companies from the strictures of the hon. Member, I admit that in this matter, as in others, there is room for much improvement. There is much useless beating of beasts in taking them on and off the vessels, and the animals suffer in consequence of the narrowness of the gangways on some of the Glasgow boats which have not the amount of cubic space between the decks that is absolutely necessary. A few years since, when we did not agree with the Cork Steam Packet Company, we determined, because they were carrying boycotted cattle, to start a line of our own. We found when we went into the matter that we were able to mend many of the points which have been dealt with at such length by the hon. Member by the use of Danish vessels which we got from Copenhagen. We hired a couple of those vessels to compete with the Cork Steam Packet Company, and we found that we were able to carry cattle much better than formerly owing to the fact that the Danish gangways were much wider than those usually provided in British ships. I think that out of this matter great practical good will accrue to the Irish farmer. I am an honorary member of the South of Ireland Cattle Trade Association, and I do not believe that animals suffer such deterioration in the short transit between Ireland and this country as the hon. Member alleges, namely, from 10s. to £1 per head, because if that were so the Irish farmers would take steps to secure their own interest. The onus and responsibility for the cruelties alleged by the hon. Member rest, not with the shippers of cattle, but with the shipowners, who try at all risks and hazards to make the most of the smallest possible space. As to the slippery floors, the point was amply illustrated by certain facts brought forward by the hon. Member. The Shipping Companies will not spend a little money on sand—a very small amount of money, because I imagine that a ton or two of this substance would suffice for one of these short journeys. If they will not

spend money on scantlings, they surely might spend it on a little sand.

*(9.45.) MR. CHAPLIN: My attention has been for some time directed to this subject, and I am bound to admit that the hon. Member for Partick is more than justified in bringing it before the Committee. I have been for some time engaged in considering and dealing with the question of the Atlantic cattle trade. Although the question of the Irish cattle trade has by no means been lost sight of, it is impossible to do everything at once, and the American traffic is the more important of the two. There is a wide distinction between the American cattle trade and the Irish which ought not to be lost sight of. In the latter case cattle are at sea 30 hours at most, and on the average only 12 hours, whereas in the case of the Atlantic traffic they are 10, 15, or even 20 days at sea, and, in addition to this, enormous losses of cattle occur which are altogether unknown in the Irish traffic. A company which carries cattle between Glasgow and Ireland informed me that in 1890 they carried 20,716 cattle, besides horses, sheep, and pigs, and the casualties were 28 cattle injured and only 13 killed, whereas in the Atlantic traffic sometimes 500 cattle are lost at once. I think, therefore, that I am justified in devoting my attention first to the Atlantic traffic. With regard to the Irish cattle traffic, the sufferings of the animals begin the day they are moved from the fairs; they are constantly beaten to get them into the limited space available at stations; again beaten in being put into the trucks, and again on being unloaded from the trucks and embarked on the ships. So far, however, I have no power or authority, and consequently no responsibility, because everything which takes place in Ireland is entirely beyond the jurisdiction of the Board of Agriculture. Then we come to the passage by sea, and there I frankly admit that there is room for improvement on board the vessels, especially with regard to ventilation, and the matter is now being considered by the Board of Agriculture. The injuries to cattle arise mainly from two causes. In the first place, they inflict injuries upon each other with their horns, especially in the case of young stock which cannot be tied up, because coming fresh from the pastures they injure themselves more by their struggles to get loose than they would if they were left free. Then I believe that it is the case that at many ports sufficiently good landing places are not provided. I am examining into that question now, and if inquiries have not already been sent out they will shortly be sent out, and arrangements will be come to which will bring about considerable improvement in that respect. I am afraid that it is only too true that the cattle are subjected to great and unnecessary violence from the drovers. With regard to the remedies which I have had in my mind as suitable for the state of things which has been described, on the question of dishorning I have nothing to say, because the animals are embarked in Ireland, where I have no jurisdiction, and there is nothing in the state of the law there to prevent dishorning. But the question of the violence of drovers is one which I have to consider, and I think that it may be possible to do something in that respect by establishing a system of licences for these drovers so that there shall be some control over them, for where any brutality takes place a drover's licence could be taken away. I think that legislation would be required to deal with this question. With regard to landing places the Board is, or will shortly be, in communication with Local Authorities. I have been asked with reference to certain specific cases whether they are accurate, or, if so, whether they can fairly be considered as representing what usually takes place. I will put briefly before the Committee the answers which I have received. A complaint has been made, in connection with the steamer *Duke of Argyll*, that on December 12, 1890, four cattle were seriously injured and left lying three hours without attention. The reply is that four cattle were seriously injured; that the consignees engaged to send floats for them, and that the animals were kept until the floats arrived. Then there is a complaint with regard to the ship *General Gordon*, that on November 18, 1890, four cattle were found lying down with others trampling on them, the horn of one being knocked off, and of the vessel being overcrowed. The reply is that the cattle were landed all right, and that nothing is known about the

injury to them. With regard to the steamer *Duke of Leinster*, it is alleged than on November 22, 1890, one beast was unable to rise and was injured. The reply is that the master and officers deny that any beast had received any injury. A fourth case is with regard to the ventilation of another steamer on February 3 of this year. The reply is that it is not true that the ventilation was bad, but that an inexperienced cattleman made the mistake of turning the mouths of the ventilators the wrong way, and that it was an exceptionally close night. I think that I have now answered the specific cases which have been brought to my notice. I can say that I have done my best to carry out the duties which are imposed upon me by the Act of Parliament, and I hope that I shall always do so in the future. I shall, without hesitation, endeavour to see that those regulations which I think necessary are carried out, and if they are not I will take whatever steps are in my power to enforce them in the future. On the other hand, I am naturally jealous of doing anything which would unduly interfere with the Irish cattle trade with this country, which is a matter of extreme importance. I am quite sensible of the objections which are raised to the traffic as carried out at present, and that it may be improved in various directions, some of which I have endeavoured to indicate to the Committee.

MR. JEFFREYS: Can the right hon. Gentleman give us any information as to a serious outbreak of pleuro-pneumonia——

THE CHAIRMAN: There is a specific Amendment before the House.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): May I ask whether the information in answer to the complaints has come merely from the owners of the vessels without further inquiries being made?

*MR. CHAPLIN: What happened was this. I made all the inquiries in my power in order to ascertain whether the charges were accurate or not, but a long time had elapsed since they occurred before they were brought to my knowledge, and under the circumstances I had to apply to the owners or those responsible for the ships. After considerable correspondence between the Board of Agriculture and the shipowners, I was obliged to rely on the explanations the latter gave me. That is the only information I have.

(10.0.) MR. J. PARKER SMITH: I have to thank the right hon. Gentleman for the explanations and assurances he has given us, and to say I am very pleased to find that the cases I cited are found, on inquiry from the owners, not to be so bad as they appeared. The cases were brought forward by the officers of the Society for the Prevention of Cruelty to Animals, and of course they had great difficulty in obtaining a knowledge of the facts.

MR. W. F. LAWRENCE (Liverpool, Abercromby): I am heartily glad the right hon. Gentleman is about to take action in this matter. I have been told by men in the butchering trade that the injury done to cattle during transit from Ireland is infinitely greater than that done to cattle during transit from America. The bruising the Irish cattle receive from the hands of various people is so great that when they are killed the meat is discoloured and not what it ought to be.

MR. C. W. GRAY (Essex, Maldon): What we have to consider is the injury done to fat cattle and also store stock during transit. As to the transit of fat cattle I will not delay the Committee, though I am glad to find there are Members on both sides of the House who are determined that cattle, whether fat or lean, shall not be subjected to the cruelty during transit that they have hitherto endured. I trust the right hon. Gentleman will pay very great attention to the transit of store cattle from Ireland, because it is these cattle that farmers in many parts of England buy in very large quantities. We, in England, are not altogether blameless as to the treatment the cattle receive on landing, though I believe the greater cruelty is practised at the port of embarkation and on board ship. The right hon. Gentleman has spoken of the boring that takes place on board ship. But boring is done by cattle of considerable strength. Thousands of little calves, six months old and with horns only two inches long, are brought over here, and are bought by the farmers in the Eastern and Southern Counties. These little things do not knock each other about much. The cruelty they experience is from the sticks of the drivers and from bad management. I know

from practical experience that in many instances these very young calves are put in the holds of ships where the ventilation is so bad that many of them never recover from the effects. I am not prepared to say that pleuro-pneumonia is generated in the holds of ships, but disease is certainly generated, and as a consequence the purchasers of the cattle suffer loss.

Motion, by leave, withdrawn.

Original Question again proposed.

DR. CLARK: I should like to ask the right hon. Gentleman how the money under Section 10 is spent. I notice there is an increase of £3,000 under the head of "Agricultural Education and Grants in Aid." Will the right hon. Gentleman explain the reason of the increase?

(10.6.) MR. MORTON: It was understood when the Agricultural Department was established that agricultural affairs would at once be put on a better footing. I should like to ask the right hon. Gentleman what is being done to bring about a better condition of things. Last year at least £25,000,000 was sent to foreign countries for dairy produce, fruit, and poultry. What has been done to enable the agriculturists of this country to produce these things and thus keep this large sum of money in the country? This is not a party or political matter. Agriculture is the largest industry in this country, but in my opinion the land is not at the present moment producing all it ought, and I think the Department ought to devise some means of instructing our farmers so that a more advantageous condition of things may prevail.

(10.9.) MR. JEFFREYS: I desire to ask the right hon. Gentleman if he can give the Committee any information as to the recent serious outbreak of pleuro-pneumonia at Southampton. We are indebted to the right hon. Gentleman for the Act which has done a great deal to stamp out the disease, but I should like to know whether he has any reason to suspect that anybody has introduced diseased cattle into the country, and on finding they were diseased, has not given proper notice to the authorities. Perhaps I may also ask the right hon. Gentleman if he has any intention of introducing a Bill to deal with swine fever. I notice that £4,500 as against £7,000 last year is taken for the collection of agricultural statistics. I should like to know whether the President of the Board of Agriculture is satisfied with the way in which agricultural statistics are collected, because I believe the statistics are often entirely fallacious.

MR. A. E. PEASE (York): I presume that the decrease in the item for the collection of statistics is owing to an alteration in the remuneration paid to the collectors. I believe that under the old system the second-class officers of the Inland Revenue collected the statistics, and received remuneration which averaged £8 per head of the officers engaged in the collection. That remuneration has now been done away with altogether, with the result that the officers feel they have a substantial grievance.

MR. JACKSON: The collectors are paid by the Inland Revenue.

MR. A. PEASE: Is there no allowance in this Vote for the collectors of these statistics?

MR. JACKSON: No.

*(10.11.) MR. CHAPLIN: In reply to the hon. Member (Mr. A. Pease) I may say the experiment of collecting produce returns has not proved satisfactory, and the continuance of the return on the same lines was not recommended. In future the corn returns are to be placed under the charge of the Board of Agriculture, and the whole question is being investigated by a Select Committee. My hon. Friend (Mr. Jeffreys) asks me for the reason of the decrease in the item for the collection of agricultural returns. Last year we obtained statistics in regard to the number of allotments. That return has only been made hitherto once in five years, and therefore the charge for those statistics will not occur again for some time. My hon. Friend believes the statistics are entirely fallacious. [MR. JEFFREYS: Often fallacious.] In the sense that they are not absolutely accurate, that is true; but I believe a great improvement has taken place. There was at one time a great jealousy on the part of farmers about filling up the papers sent to them by the Board, but this feeling is gradually dying out, and the character of the statistics are improving every year. I see no necessity for altering the system of collection. With reference to the introduction of a

Bill dealing with swine fever, that is a formidable undertaking. My hands are now full with affairs relating to pleuro-pneumonia, and I should hesitate to ask Parliament for increased powers or funds until I have shown that I have made good use of the powers already conferred on me. As to the outbreak of pleuro-pneumonia at Southampton, there is no fear of any disease having been introduced from abroad. There is unfortunately a case at Southampton, which is now occupying the serious attention of the Board. There is a certain cattle-dealer, Mr. Tucker by name, on whose premises animals have been slaughtered, and where pneumonia is found to have existed so long that it is very difficult to believe that its existence has not been concealed. The result has been most disastrous. One animal was sent to the Dublin Show, and died soon after of the disease. I am happy to say the Board of Agriculture have been successful in tracing every animal sent back to this country from the Dublin Show, and nearly all the animals sold by this Mr. Tucker during the last few months. This case illustrates the difficulty with which the Board has to contend. There have been eight or ten outbreaks in different parts of the country, each of which has been distinctly traced to Mr. Tucker's establishment. Instructions have been given to institute a prosecutisn against Mr. Tucker, and I hope that the Board will be able to make such an example in this case as will have a deterrent effect. The hon. Member for Caithness has asked what the increase under sub-head F is for, and the hon. Member for Peterborough has asked what the Board of Agriculture is doing, generally speaking, to improve the agricultural industry. In the first speech I made upon my appointment as head of the Department, I warned the agricultural world and the community as a whole not to expect too much from the efforts of the Department. The £3,000 under sub-head F is the grant made at my request for the purpose of making further efforts in the direction of agricultural education. I have no doubt good use will be made of the money, and we shall be able to add something to the agricultural knowledge of the country. Within the last few days we have arranged with one of the Societies in the country that a scientific expert shall be added to the staff for the purpose of making researches into the causes which prevent the manufacture of the best quality of butter in some counties. The hon. Mmber for Peterborough referred to the enormous sums of money which are sent abroad for the purchase of agricultural produce, which he thinks, and to a great extent I agree with him, we might produce in this country. I have no doubt there is an enormous opening to the agricultural industry in the direction of dairy farming, of which not sufficient advantage has hitherto been taken. Everything depends upon the profit which can be made, and the profit depends upon the quality of the article produced. That is particularly the case in regard to butter, and the quality of butter depends upon the care and skill with which butter is treated. That depends, again, upon the education which may be forthcoming. The Committee is aware that in regard to agricultural education as a whole, great sums of money have been placed at the disposal of the County Councils, and it is really to the County Councils rather than to my Department, with our very small funds—£8,000—that we must look for agricultural education.

MR. DUFF (Banffshire): Perhaps the right hon. Gentleman is able to say what portion of the item under sub-head F is going to Scotland. Personally I am glad the right hon. Gentleman has got a grant of £3,000 from the Chancellor of the Exchequer, but I do not think £8,000 is at all a large sum to spend on this object.

(10.30.) MR. McLAREN (Cheshire, Crewe): I take this opportunity to ask the right hon. Gentlemen whether he can see his way to give a larger grant to the Horticultural College at Swanley. It is the only horticultural college in the United Kingdom, and it is doing very good work in Kent. I think the Vice President of the Council will bear me out in that statement. It has been recognised by the County Council under their scheme for the distribution of the technical education grant. I believe the sum of money received from the right hon. Gentleman is very small, though the work the college is doing is very important, and by no means confined to the County of Kent. It is not simply a county institution, it is a college for horticultural interests through-

out the kingdom, and as such is entitled to the very favourable consideration of the Government. If there were other institutions being started, as in the case of dairy schools, it would be another matter, but seeing that it is the only institution of its kind, I think the right hon. Gentleman, whose assistance to this class of education we cordially recognise, will allow the college has a fair claim to support. It will have, I think, the support of the Vice President of the Council; he spoke very favourably of the work done on the occasion when he distributed prizes a few months ago. With regard to dairy schools throughout the country generally, I am sure the support and encouragement given to them have been of great value, and in this direction I think the work of the Agricultural Department has been most successful. I presume we may expect that those institutions which have already received grants will continue to do so, and that this Estimate, far from diminishing, may increase from year to year. At the same time, I trust the Agricultural Department will keep in mind the Report of that Departmental Committee which sat two years ago and framed a scheme for the whole country, though nothing has yet been done towards carrying it out. These grants have been given, but what the Committee recommended was the establishment of provincial schools, and one large central school. I had hoped the scheme would have been carried out to some extent, and even yet I hope the right hon. Gentleman will signalise his tenure of office by taking up the matter thoroughly, using his influence with the Treasury for the carrying out of these recommendations in the Report of the Committee I refer to. From both sides of the House, I am sure, the Government will receive warm support—from every Member interested in agricultural technical education, and, therefore, I would press upon the right hon. Gentleman these two matters I have mentioned.

*(10.35.) MR. CREMER: I may save the right hon. Gentleman trouble if before he rises I put the question I have indicated my intention to address to the heads of various Departments. First, I would ask the right hon. Gentleman what are the duties of the two building clerks connected with the Department who receive £320 a year each? It seems somewhat incongruous that the Agricultural Department should require two building clerks to assist it. What are the special duties these gentlemen have to discharge? Then, perhaps, the right hon. Gentleman will inform the Committee what are the hours of service of the clerks and others in the Department, the time they arrive and depart, and the time allowed for refreshment?

DR. TANNER: I have a Motion on the Paper for the reduction of the Vote with reference to the Private Secretary of the Minister for Agriculture; but I now do no more than allude to the matter, for I have, since I put down my notice, found that one of the principal objections I had to the appointment of the gentleman has disappeared. That objection was that Mr. Bagenal, the gentleman who acts in the capacity of Private Secretary to the right hon. Gentleman, was the editor of a comic journal called *England*, the property, I believe, of the Civil Lord of the Admiralty (Mr. Ashmead Bartlett), and I did not recognise the propriety of introducing such a jocular spirit into such a serious Department as the Board of Agriculture. I hope, however, that the information I have is correct, and that I may not have to put the Committee to the trouble of a Division, Mr. Bagenal having ceased his connection with the comic paper I have mentioned. I know perfectly well that in other ways Mr. Bagenal's services as Private Secretary will be of great advantage. Mr. Bagenal possesses legal ability of the premier order, and perhaps the efficiency of the Department may be further developed by the military qualities attained by Mr. Bagenal's service in that distinguished corps known as the Carlow Rifles. These are qualifications to which I take no exception, though I object to the taint of connection with the comic journal *England*. We may, I hope, have a short explanation on this matter. Then there are one or two other matters painfully patent to anyone who casts his eye over this list of appointments. In Committee of Supply we are bound in the interests of the taxpayers to keep a steady eye to economy, though I am sorry there are many Members who do not rise to that sense of their duty. I want to point out that in this new Department most of the gentlemen appointed receive at once the maximum

salary. I will not call attention to the salary of the Assistant Secretary, an office held by a gentleman who, in any position he might occupy, would do his duty. I have had an opportunity of listening to him in this House, and pay tribute to his ability. But how comes it to pass that while the maximum sum for the Director of the Veterinary Department is set down as £800, his salary this year is entered at £1,000? There are, on the other hand, some gentlemen who are paid close upon the minimum amount, while others get over the maximum. The Librarian gets £254, while the maximum is £300. The Surveyor gets £453, though the maximum is £350. There is an "Assistant Record Keeper," and I am sure from the length of time the Department has been in existence, the Record Keeper can scarcely need assistance. This offical is down for a salary of £165, whereas we find the maximum on the Estimates is £150. These are matters requiring a little explanation. There is one more item. I see the Assistant Veterinary Inspector gets £430, his maximum being put down at £400. Then I would ask the right hon. Gentleman's attention to the "muzzling" order, and would suggest to him that some better subject might be found for the exercise of the Act of which he is the able exponent. At Bournemouth there has been great complaint of the stringency with which the muzzling order has been carried out, and I would ask the right hon. Gentleman whether it is possible to allow some relaxation. He may be aware that there are many old ladies at Bournemouth, and they mostly have dogs, and whenever these ladies find the opportunity of ventilating their grievances to a Member of the House, they are solicitous for interest in favour of their pets. I put a question to the right hon. Gentleman on the subject, and he informed me that it is a dangerous neighbourhood, and that people must be protected. Of course, I do not know; it is rather a Conservative district, and perhaps the right hon. Gentleman is better acquainted with it than I am. However, I have felt it my duty to mention this, and I hope the right hon. Gentleman may see his way to allow some relaxation as regards Bournemouth; and also there is the peculiar position as regards part of the Uxbridge Road, where, I understand, dogs may walk without a muzzle on one side of the road but not on the other. I hope the right hon. Gentleman will rise to the level of the occasion, and will be able to draw a line of demarcation that will be satisfactory to all parties.

*(10.45.) MR. CHAPLIN: I am sorry to trouble the Committee again, but I will briefly answer the questions put to me. With regard to the Muzzling Order, probably the best answer I can give will be to state the results. In 1889, when the Muzzling Order was first put into force, there were 218 outbreaks throughout the country generally, 61 of them being in the Metropolis. In 1890 there were 90 outbreaks, 25 being in the Metropolis. In the first quarter of 1891 there was only one outbreak in the Metropolis, and only 13 throughout the country. I do not think that is an unsatisfactory result, and possibly the Committee will be disposed to overlook any minor laches on my part in view of the success which has attended our efforts in this matter. With regard to the Private Secretary to the President of the Board, I can assure the hon. Member that the disqualification to which he has alluded, if it ever existed no longer exists. I was not aware of it if it ever existed. I value the services rendered by this gentleman very highly, he has been of the greatest use to me, and I am heartily glad the Motion is not made. Then, as to the various items mentioned, the amounts represent the length of service, some gentlemen having reached the maximum, while others have not.

DR. TANNER: In some cases more than the maximum.

*MR. CHAPLIN: All depends on the length of service. Although the Department is a new one, the staff for the most part is old, and the Department is made up by a combination of a number of old offices, of which the greater part of the staff was transferred. Among the officials transferred to the new Department is the Director of the Veterinary Department, who receives £1,000 a year, and has been receiving that amount for years past. As to the building clerks, they were employed in the work of the Land Commission, and are now engaged in drawing plans for land improvements. The slight increase on the estimate of £40 is due to the annual increment which

would have been received under any circumstances.

DR. TANNER: The Assistant Record Keeper?

*MR. CHAPLIN: There is a slight increase there, an increment of £15. It is due to an alteration made in the office from six to seven hours. Then, I have been asked a question in reference to the Horticultural College at Swanley. This institution has received grants in the last two years, and we make our grants on the result of inspection, and when the inspection is made I hope we shall continue the grant, but I cannot give a pledge until I have full information. Then the hon. Member asks as to the hours of employment in the Department, and I have to inform him that the working day consists of seven hours. In the Land Office work continues from 10 to 5, and in the Agricultural Department from 11 to 6, with Saturday half holidays. There is no distinction in this respect between the different classes of clerks. They receive full pay when absent on leave, or through illness, up to six months. There is a special rule respecting sick leave. Full pay is allowed for six months, then half-pay for another six months. After 12 months officials are, with the consent of the Treasury, paid at pension rate if still absent through illness. Overtime is paid, but is prevented as much as possible. As to the net increase in the Estimate, £3,000 of it is accounted for by the increased grant for agricultural education, and £800 by increased work in the Department, which testifies to its usefulness.

MR. DUFF: The right hon. Gentleman has not answered my question.

*MR. CHAPLIN: I think I can satisfy the hon. Gentleman. The share which Scotland obtained was £1,975 last year in respect of agricultural education, as against £2,585 for England and Wales. That is owing to the fact that the Department proceeds on the principle of helping those who help themselves most.

(10.52.) DR. CLARK: I think the right hon. Gentleman is wrong in his figures, and that the increase in salaries is £2,600.

*MR. CHAPLIN: I did not say salaries.

DR. CLARK: Before we leave the subject, I shall be glad if the right hon. Gentleman will say if it is intended that when the positions now held by the recipients of higher salaries become vacant the re-appointments will be made according to the scale laid down. There are one or two items that need explanation. The Resident Legal Adviser, whose salary last year was £800, is this year set down for £900, but the annual increment attached to the office is £50, so it seems that this gentleman gets two years' increase at one jump. Then, lower down, I see two clerks of the First Division have their salaries increased from £852 to £947, though the annual increment is set down at £15, and the maximum is £400 each.

*MR. CREMER: I thank the right hon. Gentleman for his information in reply to my question. May I further ask him, inasmuch as the answer is not likely to be reported, if he will give me in writing a copy of the answer he made?

*MR. CHAPLIN: I shall be happy to give the hon. Member the information if he desires it.

MR. LLOYD-GEORGE: Will the right hon. Gentleman state the proportion of the grants in aid of dairy instruction which has gone to Wales? May I also press upon him the importance of encouraging this branch of agricultural education in Wales?

*(10.55.) MR. CHAPLIN: Of course, we pay every consideration to any application made, and I am anxious to promote this branch of agricultural education. As to the questions raised by the hon. Member for Caithness, the resident legal adviser has served for many years in the Land Commission Department, and the increase is in accordance with the terms of his engagement. The increase in the salaries of the clerks mentioned is due to natural increment.

MR. MORTON: As to the statements in reference to dairy education, I may say that, although I am in favour of reducing other Votes by, say, £10,000,000, I would be inclined to increase this Vote for the purpose of improving the quality and quantity of agriculture and dairy produce in the country.

MR. S. T. EVANS (Glamorgan, Mid): Can the right hon. Gentleman say what is the amount of the grants for dairy instruction going to Wales?

*MR. CHAPLIN: I cannot answer just now, but I shall be happy to give the hon. Member the information if he will put down the question. Every application for assistance is fully considered.

Question put, and agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £25,867, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Charity Commission for England and Wales, including the Endowed Schools and City of London Parochial Charities Departments."

*(11.0) MR. ROBY (Lancashire, S.E., Eccles): I do not intend to occupy the attention of the House for more than a short period, but I wish to make a few remarks with regard to the Endowed Schools Department. Before I do that I desire to thank the Charity Commissioners and the Treasury for commencing a most important work—a fresh survey of the charities of England and Wales. It will be remembered that since 1837 we have had nothing like a full Report of the property and present condition of these charities, but I understand that now we have got for the County of Denbigh as full an account as that which was the outcome of Lord Brougham's Commission at the date I have quoted. Probably the present account is even more complete. I only hope that the Charity Commissioners may be successful in obtaining the requisite funds for carrying on this work throughout England and Wales. With regard to the Endowed Schools Commission, I wish to ask for information as to the present position of the Endowed Schools Department with regard to the drawing up of schemes? From its first foundation in 1869 the Department has been appointed for short periods of four or five years, or even from year to year. In 1874 Lord Sandon, as Vice President of the Council, moved the Second Reading of the Endowed Schools Bill, and intimated that the work would be proceeded with at a quicker rate than theretofore, and promised to appoint additional Assistant Commissioners, in order that the work might be finished in five years. As a fact, he began by dismissing two of the Commissioners, and did not appoint any greater number of assistants. His estimate has not been justified. The work is still greatly in arrear, although 17 years have elapsed since that time. I find in the 37th Report of the Charity Commissioners that the number of endowed schools dealt with by the Endowed Schools Commissioners was 271, while the Charity Commissioners dealt with 463; the former body existed for five years, while the latter body have been doing the same work for 16 years. The comparison of work done is, therefore, not very favourable to the Charity Commissioners. We are now in this position: Between 700 and 800 endowed schools have had schemes framed for them. There were, it was reckoned, 800 endowed schools which were nominally grammar schools, and over 2,000 which were not grammar schools. A large proportion of these had very small endowments, and all schools with endowments not exceeding £100 a year have been taken from the Charity Commissioners and handed over to the Education Department. The total number of endowed schools still within the terms of the Endowed Schools Acts, as administered by the Charity Commissioners, is probably 1,100 or 1,200. Less than 800 have been dealt with. I should be glad if the Government or the Charity Commission will lay on the Table a Return showing what schools or other educational endowments have had no schemes submitted for them, the Return to apply, of course, to such endowments as are within the jurisdiction of the Charity Commissioners. The question arises, what is to be done for the future? Is it likely that when schemes have been submitted for the remaining 300 or 400 schools the work of this Department will be finished? Is it not more likely that there will be work to be done in the way of constantly amending the schemes to make them in accord with the requirements of the day? I think the Endowed Schools Commissioners should not continue on their present precarious tenure, and I ask the Government will it not consider the desirability of putting the administration on a permanent and more satisfactory basis? There are two objections to the present mode of dealing with these endowments. One is to be found in the cumbrous procedure of the Charity Commissioners for making the

necessary inquiries, framing the scheme, and submitting it to the Education Department and sometimes to Parliament. I see no reason why one body should not be sufficient to do this work. The Charity Commissioners are a body standing more or less aloof; the Education Department, on the other hand, is directly responsible to Parliament. I do not think it is satisfactory that, in the case of schemes which cause great differences of opinion, a great deal of the responsibility should come upon a body which, so to speak, stands outside Parliament, and is, therefore, not able to deal with them so strongly as a Government Department could. I should be in favour of putting a large portion of the work of framing new schemes and amending existing ones under a Department of the Education Office. The Charity Commission would continue to exercise many of their old powers, but the new powers granted by the Endowed Schools Acts, which relate to matters that excite the most feeling in the country, would, I think, on the whole, be more simply and more satisfactorily dealt with by a Department of the Privy Council. A year or two ago an Act was passed for developing Welsh intermediate education, and that Act constituted in each county of Wales, and also in Monmouthshire, a Committee of three persons nominated by the County Council and two by the Lord Lieutenant, specially qualified by their knowledge of the locality, to give material assistance in executing the function of framing schemes. I think some similar kind of body is required in this country. It is very important to decentralise a good deal of the work, and I hold that there should be in each county, or combination of counties, a Committee dealing with charities and endowments, and with authority to look at the whole interests involved, from both a broad and a local point of view, and advise accordingly. Such a Committee would better understand the needs and wishes of the locality than a body sitting in London. I should be very glad if the Government will, during the Recess, consider the whole question, and see whether they cannot devise some plan for giving more representation to local feeling, recognising more fully local requirements, and, at the same time, in some degree removing unnecessary steps which exist at present in the carrying out of schemes. I do not look at these schemes as permanent documents intended to last unaltered for a long time. They are simply formal statutory rules for governing particular endowments, and they ought to be continually subject to re-consideration and amendment, so that they may be made to meet the different circumstances of each county or locality. There is a clause in the Welsh Intermediate Education Act which, I believe, has been of great service, a clause which gives the right to any Assistant Commissioner of the Charity Commission to be present at the meeting of the County Committee to advise, but not to vote. There should be attached to every county or group of counties throughout England an Assistant Commissioner or Inspector who would be the adviser of the Committees throughout his district. If that were done, and some kind of local form given to the administration of charities, I think it would be a great service to the country. I am very far from wishing to move any reduction of the Vote. I have not the least doubt that the money has been exceedingly well expended for the benefit of the whole country, and I shall be only too glad if at any time the Charity Commissioners can give further evidence of the great advantages they have brought to bear on the endowed schools of the country.

(11.20.) MR. BRYCE (Aberdeen, S.): The subject which my hon. Friend has brought to the notice of the Committee is one of very great importance, and no one in England, I suppose, is so well qualified to speak upon it as he is. I am sorry the Vice President was not here to listen to the valuable suggestions he has thrown out. I should like to remind the Committee that it was part of the original plan for the reform of the Endowed Schools Commission as launched by the late Mr. W. E. Forster in 1869, that there should be County Boards of Education for the supervision of the endowed and secondary schools in their districts, and with the view of ultimately establishing some beneficial relations between those secondary schools and the elementary schools of the country. I have risen, however, for the purpose of asking information with regard to the City of London Parochial Charities. I see that the Vote for this year is less by

£1,000 than that for last year, and I suppose we may take that to be a sign that the business of the Commission is rapidly drawing to a close, and that the expense will still further decrease. But what is the present state of business? For how long will it be necessary to extend the powers of the Commission; what schemes still remain to be disposed of; and how much of the money which, under the 44th section of the Act of 1883 is to be repaid to the Treasury, has been repaid, or within what time is it likely to be repaid?

(11.22.) MAJOR RASCH: I wish to say a few words on this Vote from the point of view of the agricultural labourers. The House is probably well aware that the agricultural labourer is totally and diametrically opposed to the objects and works of the Charity Commission. He says that when he asks that body for bread it offers him a stone. The Commission does precisely what it ought not to do. Beneficiaries under the wills of pious founders used years ago to receive something practical for these charities. They got bread and meat and other useful things. Now, the money is spent, or rather it is wasted, on repairs of buildings, salaries of teachers, the purchase of books, and other matters, with which the labourer has no sympathy, and to most of which he is entirely opposed.

MR. J. W. LOWTHER (Cumberland, Penrith): Will the hon. Member quote cases instead of dealing in generalities?

MAJOR RASCH: Certainly. There was a case at Lichfield where a considerable sum of money was wasted, where the steward received 10 per cent. of the value of the charity, and then, in addition, brought in a bill of £30 or £40. Again, in a village with which I am acquainted—in Essex—money has been spent on buildings, in the purchase of books, and in other ways with which the labourer has no sympathy. And the dissatisfaction is increased, because the labourers cannot get clear accounts as to how the money is spent, and so they come to the conclusion that the squire and the parson have divided it between them. Another cause of discontent arises from the system of co-optation. The persons who administer the charities under the direction of the Charity Commissioners elect each other, and the ratepayers have no voice in the matter. I shall not trouble the Committee by moving a reduction of the Vote; all I desire to do is to point out the objections of the labourers to the Commissioners' operations, and to do it in language more Parliamentary than the men are in the habit of themselves employing.

(11.25.) MR. S. HOARE (Norwich): I rise to support the appeal of the hon. Member for Eccles, for I agree with him that localities should have more voice in expressing their views than they have hitherto had. I hope the Government will consider whether legislation cannot be introduced so that the public shall have the power of declaring whether or not they are satisfied. Some of us who took part in securing the rejection of the Bill for extending the powers of the Charity Commission did so because we thought it failed to carry out the recommendations of the Committee on Charitable Trusts, whose Report was furnished to this House in 1887. That Report has not yet been acted on at all. We endeavoured to amend the Bill by getting inserted a clause giving the people of a district the right to be heard in regard to the administration of local charities before a scheme was framed. But we were unsuccessful, and now the Bill has been dropped. I do not agree with my hon. Friend for Essex in his attack on the Commissioners. I think they have taken great pains and trouble in their work. In a village in which I am interested I act as Trustee of a charity now worked by means of a new scheme, under which the labourers have got allotments, can get their children apprenticed, and when sick are made an allowance of coals. I think the duties of the Charity Commissioners would be rendered much more easy if their powers were extended, and I hope the Government will consider the possibility of, in a future Session, securing that, before a scheme actually becomes law, the people of the district concerned shall have the power of expressing their views upon it. There are now six different systems under which schemes for charities have to be applied for, and they are very difficult and complicated. Many people, and some of us who are Members of this House, do not even now know how to oppose a scheme or to express an opinion on it. Some of the schemes do not

come before Parliament, and therefore it is practically impossible to offer any objection. I hope we shall have legislation introduced which will simplify the procedure.

(11.30.) MR. J. STUART (Shoreditch, Hoxton): I wish to refer to a matter I raised two years ago on a similar Vote, and to again complain that the auditing of accounts was not satisfactory. I believe I am right in saying that between 30,000 and 40,000 Charities send in statements of accounts annually to the Commissioners, who do not hold themselves responsible for auditing them. There is no uniformity, and the audit is conducted in a most perfunctory manner. I hope that the Charity Commissioners will make some more satisfactory arrangement for the auditing of the accounts in connection with the County Councils. The organisation of the County Councils supplies means of dealing with charities locally, and their co-operation might result in saving many charities from disappearance. Another point on which I desire information relates to the City parochial charities in London. As the Committee know, these charities are now devoted partly to ecclesiastical and partly to general purposes. The scheme relating to them left unallocated something like £10,000 a year, which was to be at the disposal of the new managing body created by the Charity Commissioners. I wish to have the latest information as to the amount of these unallocated funds, for there is reason to believe that they are larger than the sum which it was at first understood they would amount to. The body intrusted with this money is thought by many persons to be not sufficiently representative, and there is not, I believe, amongst its members any one who has any special fitness to deal with the question of open spaces, which is one of the subjects to which attention is to be paid under the scheme, and upon which money is to be spent. I should like to know from some member of the Government before the Debate closes what provision has been made for the selection of persons best fitted for the due and proper administration of this portion of the fund.

(11.37.) MR. A. DYKE ACLAND (York, W.R., Rotherham): I only want to endorse the arguments which have been delivered as to the desirability of linking together those bodies which are specially concerned with charities and the County Councils. The experience of Wales shows that the Charity Commission can act harmoniously with the local representative bodies for the improvement of elementary and higher education. I wish the Government could see their way to bring in an intermediate Act for England on the lines of the Welsh Act, in order to enable the representative members of the County Councils to work in harmony with the Charity Commissioners, so that together they may utilise the endowments of a county in the best way. Small counties ought also to be able to join together in order to utilise their funds to the best advantage. The progress we have made in Wales in one year is simply marvellous, and soon we hope to have set up 70 or 80 new secondary schools of a cheap character, to which the children of agricultural labourers will have access, and there will be an abundance of scholarships; in fact, the Principality will be provided with a network of schools, being a real link between the elementary school and the University Colleges, such as I say, when complete, will not be equalled in either England, Scotland, or Ireland. I hope our little experiment in Wales will be an encouragement to the Charity Commissioners to help on a similar scheme for England. What under the Local Taxation Act is now in a purely experimental stage must pass into an organising stage. But that cannot be done without fresh legislation. I hope that some of our English friends will study the work we are doing in Wales, and I venture to say, in conclusion, that whatever complaint there may have been against the Charity Commissioners in the past, our experience in Wales shows that it is willing to work with us in a democratic spirit, setting aside all but purely educational considerations.

*(11.42.) MR. CREMER: I am glad to hear that the conduct of the Charity Commissioners in Wales has been of so highly praiseworthy a character, and I wish as much could be said as to their actions in England. Without going quite so far as the hon. Members for South East Essex and Norwich, I think I can, generally speaking, endorse the charges they have made against this body. It will be

within the recollection of the hon. Member for Norwich that two years ago a Committee which sat upstairs to inquire into the doings of the Charity Commissioners, made a series of recommendations, but so far as I am aware, not one of them has been given effect to by the Charity Commissioners. One of the recommendations was that, in the appropriation of charities and endowments by the Charity Commissioners, due regard should be had to local opinion and requirements. That recommendation has not been carried out, and in a number of instances the opinion of the people in the localities has been defied. Two or three years in succession I brought under the notice of the House the notorious case of St. Katherine's Hospital in the Regent's Park, where, amongst many other gross abuses, the master has been allowed to pocket a sum of nearly £2,000 a year. What the master does in addition to preaching two or three sermons no one seems to know. Years ago a new scheme was proposed by the Charity Commissioners and endorsed by the London School Board for the better management of this institution, but for some mysterious reason the Commissioners have been prevented from carrying out their reforms, and so this scandalous waste and mismanagement is still continued.

*(11.46.) MR. J. W. LOWTHER: With regard to the last matter mentioned by the hon. Member for Shoreditch, I cannot add anything to the answer which I gave two or three years ago, when I explained the law relating to the subject. The law is to this effect — that where a charity has an income exceeding £50 a year, the Charity Commissioners cannot take any steps to force a new scheme on such a charity unless the Trustees apply in the first instance to the Commissioners for a scheme. The law still remains in this condition, and the Committee has heard from the hon. Member for Norwich how an attempt to alter it was defeated. As long as the powers of the Commission are limited in this direction I fear that the case must remain in the same position as it is now. As to the present position of the schemes under the City Parochial Charities Act, with regard to which questions were asked by the hon. Members for Aberdeen and Shoreditch (Hoxton), I have to tell the Committee that the great bulk of them have been approved by Her Majesty in Council, and are therefore law. Some of the other schemes, however, are still in an incomplete state. Schemes dealing with the ecclesiastical property of the five large parishes have been published, and will shortly be submitted to the Education Department. The scheme for the People's Palace has recently been published, but it has to await criticism, to go through the mill of the Education Office, and possibly to come before the House of Commons. I am sorry not to be in a position to report that any rapid progress has been made with regard to the polytechnics in the north of London. I believe that the Northern Polytechnic is in a fair way of making some progress, and possibly before long the scheme will be published. All the other important schemes have already become law; but the People's Palace is an extremely important one, dealing as it does with a large sum of money, and it will require a large amount of consideration before it finally becomes law. Having regard to the important schemes which yet remain to be completed, and to the difficulties and delay which may arise, the Charity Commissioners have come to the conclusion that it is desirable to continue the powers of the City Parochial Charities Department for some time longer; but the exact period has not been determined. The staff required will not be so large as it has been, and therefore the expense to the charities will be considerably diminished. The hon. and gallant Member for South East Essex has referred to a certain scheme in South Essex which has often been brought up before. As I said on a previous occasion, this scheme was drawn, not by the Charity Commissioners, but by the Court of Chancery. I may point out, too, that the income of this charity largely exceeds £50. As to the Endowed Schools Department, the schemes drawn by this Department require overhauling and modification as time goes on, and everything points to the conclusion that the work of this Department is not of a temporary character. This view is fully borne out by a clause on page 27 of the 37th Report of the Charity Commission. I cannot, offhand, assent to the proposals of the hon. Member for the Eccles

Division, because they obviously require very careful consideration; but the Commissioners would welcome any arrangement which would bring them into closer relations with the localities, as represented by the County Councils, in dealing with the wishes of localities interested, and in dealing with the question of audit of accounts. The Commissioners have no power in connection with these audits, which are often of a very unsatisfactory character. I see no reason why the County Councils should not be brought in with a view to superintending and auditing the accounts.

MR. J. STUART: What is the surplus of the City Charities?

*MR. J. W. LOWTHER: I am informed that the surplus of unallocated funds originally expected was about £5,000; but I believe that a slightly larger sum than that is at the disposal of the Central Governing Body, who, in deciding its application, will have to consider the case of North London.

*(11.59.) SIR J. SWINBURNE (Staffordshire, Lichfield): One of my complaints against the Charity Commission is that in drawing up their schemes they insert a clause enabling the Steward or Trustee to take no less than 10 per cent. from the gross income of the charity. I think that that is an excessive allowance for management, and that 5 per cent. would be ample. Then, again, with regard to the auditing of the accounts, the present system is most unsatisfactory, for although the Charity Commission does not audit them, the Trustees or Managers, whenever any complaint is made locally, reply simply that the accounts have been before the Commissioners.

It being Midnight, the Chairman left the Chair to make his seport to the House.

Resolutions to be reported to-morrow; Committee also report Progress; to sit again to-morrow.

SUPPLY [13TH JULY].

Resolution [see page 1061] reported, and agreed to.

FISHERIES BILL [LORDS].—(No. 406.)

As amended, considered; read the third time, and passed with an Amendment.

CATHEDRAL CHURCHES BILL.
(No. 53.)

Order for Second Reading read, and discharged.

Bill withdrawn.

TEACHERS (REGISTRATION AND ORGANISATION) BILL.
(No. 156.)

Special Report from the Select Committee, with Minutes of Evidence, brought up, and read.

TEACHERS (REGISTRATION AND ORGANISATION) BILL.
(No. 156.)

Reported, without Amendment.

TEACHERS' REGISTRATION BILL.—
(No. 48.)

Reported, without Amendment.

Reports and Special Report to lie upon the Table, and to be printed. [No. 335.]

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 363.)

Lords Amendments to be considered upon Monday next, and to be printed. [Bill 410.]

PURCHASE OF LAND, &c. (IRELAND) BILL.

(12.5.) On the Motion for adjournment,

MR. SEXTON (Belfast, W.): The consideration of the Lords Amendments to the Irish Land Bill has been fixed for Monday, but seeing that they have only just been received from the other House, and bearing in mind the importance of the changes made, we cannot agree to their being considered at so early a date.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have conferred with my right hon. Friend the Chief Secretary on that point. We propose to put the matter down for next Monday, but not with the intention of proceeding with it. We are anxious to meet the wishes of hon. Members for Ireland, as well as to consult the convenience of the whole House. The Amendments will probably be considered on the following Thursday.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 15th July, 1891.

PRIVATE BUSINESS.

HANOVER CHAPEL BILL [LORDS].

(12.25.) MR. PICTON (Leicester), who had the following Notice of Motion on the Paper :—

"To move that the Order [14th July] that the Hanover Chapel Bill [Lords] be committed be read, and discharged.

That the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House and Three by the Committee of Selection.

That all Petitions against the Bill presented in accordance with the Standing Orders be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

That the Committee have power to send for persons, papers, and records.

That Three be the quorum,"

said: I believe that the noble Lord in charge of the Bill (Viscount Cranborne) and others who take an interest in the measure are willing to agree to a Motion to refer it to a hybrid Committee, providing that the number is not so large as seven. I therefore refrain from moving my Resolution, in favour of that which stands in the name of the hon. Member for the West Derby Division of Liverpool (Mr. Cross).

Order [14th July] that the Hanover Chapel Bill [Lords] be committed read, and discharged.

Ordered, That the Bill be committed to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

Ordered, That, subject to the Rules, Orders, and Proceedings of this House, all Petitions against the said Bill be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions, if they think fit, and Counsel heard in support of the said Bill against such Petitions.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum of the Committee.—(*Mr. Cross.*)

MR. TATTON EGERTON (Cheshire, Knutsford): I do not propose to move the Instruction which stands in my name—

"That it be an Instruction to the Committee to alter Clause 13, and authorise the Charity Commissioners to amend the Trinity Chapel Scheme, and give to the new Church the same income as to the other Churches under the Scheme, and transfer the balance of the double portion given (under the plea of absence of endowment) to the Hanover Chapel, to the Mother Church of St. George's, Hanover Square."

Motion made, and Question proposed,

"That it be an Instruction to the Committee to inquire whether the cost of building Hanover Chapel was not largely borne by the rates of the whole parish of St. George's, Hanover Square; and, if so, whether a portion of the surplus of the money to be derived from the sale of the chapel building and the site thereof, after providing for the erection of the new district church contemplated by the Bill, should not be used for the religious requirements of the whole parish; and, if so, the Committee, if they think fit, be at liberty to insert provisions in the Bill to apply a portion of such surplus accordingly."—(*Mr. Thomas Henry Bolton.*)

Objection being taken, the Debate stood adjourned.

Debate to be resumed to-morrow.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

1. £25,867, to complete the sum for the Charity Commission.

*(12.30.) SIR J. SWINBURNE (Staffordshire, Lichfield): As the remarks which I was making upon this Vote were interrupted last night by the Rules of the House, I desire to continue what I was then saying. The complaint I have now to make against the Charity Commissioners is their disregard of the Resolution which was passed by this House in 1886, that the majority of the trustees and managers of a charity shall be elected by the ratepayers of the district affected. The Commissioners systematically ignore this requirement, and the consequence

is, that in one charity I find the stewards' charges have been increased from £20 to £40, and that a law bill of £20, £30 or £40 is incurred, with rare exceptions, every year. I have no wish to give names, although I have them here. The accounts are not properly looked into, and the consequence is that the charities are robbed. Only this year, instead of the Charity Commissioners loyally carrying out the decision of this House that the majority of the trustees or managers should be elected by the ratepayers, in one of the schemes connected with the City of Lichfield there are only three out of 15 trustees directly elected by the ratepayers. There are eight representative trustees, which looks well upon paper, and gives a majority, but they are not elected by the ratepayers. They are nominated by the Town Council, who are identical with the Co-optative trustees and managers. I have often been asked the question, What is Co-optative Trustee? as many Members have failed to discover what their functions and duties are. It is, I believe, a position invented by the Charity Commissioners to enable a clique of persons, usually including the parson and the squire, to control and retain the control for ever of the Charity. The system is copied from the Municipal Act of 1837, when Lord John Russell, in order to carry his Bill through the House of Lords, had to submit to the pernicious system of Aldermen being elected by the Town Councillors in lieu of their being elected directly by the ratepayers. Whenever a vacancy among the Co-optative Trustees arises from death or bankruptcy, or any other cause, a new trustee or manager is elected by this body from among themselves. The pious founders of these charities nominated certain persons to see that their wishes were carried out in the future, and to see that the money was administered for the benefit of the poor in the place of their nativity. All what the founders looked to, was the proper administration of the funds, so that the poor, who they intended to benefit, should not be robbed of their rights. But the fact is, that under the present arrangements stewards are appointed who receive an excessive salary themselves, which is quite out of proportion to the work done, or required, and take care that their professional friends receive fees out of the funds. The Charity Commissioners say—"We are not accountable. Trustees and Managers have been elected, and if they will job away the money of the poor people we cannot help it." As they are practically out-voted, the poor have no voice whatever in the management of these charities. However small a Charity may be, if the managers have to go before a constituency at intervals, they will take care how they administer the trust, and, on the other hand, the constituency will see that they elect the best men as administrators. What I wish to see established is a system of election direct from the ratepayers. I know the Government say that the Resolution of the House was carried by a snatch Vote. My reply is, that if it was a snatch Vote, let Her Majesty's Government come forward and rescind it. I challenge them to do that, and to see what the opinion of the House of Commons is now. So long as the Resolution remains unrescinded, I think the Charity Commissioners ought to accept it loyally.

*(12.35.) MR. COBB (Warwick, S.E., Rugby): There are one or two matters in connection with this Vote which I should like to bring under the notice of the hon. Member for Penrith (Mr. J. W. Lowther.) In the first place, I believe there are a considerable number of cases in which the Trustees of Charities do not render their accounts as prescribed by the Act of Parlianent. Indeed, there are thousands of cases in which the Trustees are still in arrear with their accounts. This arises, I believe, from the fact that in a great many instances the person who is supposed to keep the accounts is the incumbent, who is not, as a rule, a man of business, and in consequence, although quite unintentionally, he succeeds in getting the Charity into a great mess. In support of that view I may mention a case which occurred not long ago. I was present at a public inquiry into one of these Charities, which was conducted by the late Mr. Skirrow, one of the Inspectors. In the course of con

versation with Mr. Skirrow he told me, quite unsolicited, and he had had a large experience in connection with the administration of Charities, that he only knew of one case in which a country clergyman had kept the accounts properly as a man of business would have done. Last night the question of popular representation in the appointment of trustees was brought up, and it was pointed out that the Resolution passed in 1886 has never been carried out. Personally I have had a good deal to do with the Charity Commissioners, and I have often benefited by the courtesy and consideration of the hon. Member for Penrith, and I must say that matters have been much better during the last two years than they were before. I do not see why, in regard to the smaller village charities, some uniform principle should not be adopted for the framing of a scheme in regard to the appointment of new trustees. In one of the Northamptonshire villages a scheme has been framed which ought to be converted into a model and advantageously followed in other places. The old trustees were the vicar, the two churchwardens, and the two overseers. At the inquiry which took place—and it was the inquiry I have already mentioned at which I met Mr. Skirrow—certain acts of gross negligence in the administration of the charity were proved. The funds which ought to have been administered for the benefit of the poor had been taken by the churchwardens and used for the purposes of the Church. In all these cases I think it is desirable that there should be a public inquiry. It tends to clear the atmosphere. In this instance, although it was at first supposed that the inquiry was instituted in hostility to the trust, it was soon made manifest that that was not so, and the vicar in the end was glad to get rid of responsibilities which he was unable to carry out under the new scheme. There are seven trustees; one, the Poor Law Guardian, is *ex officio* for the time being; four are representative and elected by the vestry every five years, and the two remaining trustees are co-operative trustees. Since the scheme has come into operation other villages are looking forward to a similar measure of justice. There is another important case, of which I regret I have been unable to give the hon. Member for Penrith notice, but I only received a letter in regard to it this morning. It is the case of a charity in the town of Warwick, a town represented by the Speaker of this House. There are in Warwick a number of charities which are called municipal charities. A scheme has just been put forward in regard to them, and it is provided that the first 6 vacancies out of a total of 21 trustees named in the scheme shall be filled by Representative Trustees elected by the three wards in Warwick. The 7th, 8th and 9th vacancies are not to be filled up at all, and the remaining 12 vacancies are to befilled by Co-optative Trustees, so that the total number of Trustees will be reduced to 18 in future, and when the first Co-optative Trustee is appointed he will be appointed by the 6 Representative Trustees and the 11 Co-optative Trustees. That is the reverse of popular representation, seeing that there will only be 6 Representative Trustees against 12 Co-optative Trustees, or two to one, and it is that system which I desire to see amended.

*(12.45.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): I wish to ask my hon. Friend the Member for Penrith to explain to the Committee two points in regard to the policy adopted by the Charity Commissioners in reference to the appointment of Trustees. Charity schemes, as we all know, come before Parliament, and Parliament is afforded an opportunity of considering them—not a full opportunity, but still an opportunity. But with the appointment of Trustees by the Commissioners, Parliament has nothing whatever to do. Therefore, I think, we have a right to watch with care how they use their powers in reference to these appointments. The rule of common sense as well as the principle of law is that persons should be appointed Trustees who will be loyal to the trust. You would not, for instance, place a Dissenter upon a Church of England Trust, nor would you put upon a Trust intended for education persons who are notoriously desirous of alienating the Trust from educational purposes. In appointing a Trustee you naturally appoint a person

who will be loyal to the Trust. I want to know how far the Charity Commissioners in appointing new Trustees are prepared to uphold that doctrine, or how far they are prepared to throw it over. How far are they prepared to adopt the policy of nominating trustees who are opposed to the application of the trust? In the second place, I want to know what powers the Charity Commissioners intend to take themselves with regard to modifying the orders they may make. There are certain statutable regulations which the Commissioners are bound to comply with before they appoint new trustees. They have to publish the names of the persons proposed, to post them on the Church doors, and advertise them in different newspapers, so that everyone may know the names That it is an admirable rule, but by another Act of Parliament the Commissioners are allowed to modify it, and without notice, to make some small variations in it. What I wish to know is, whether, after the Commissioners have promulgated their order and published it in the usual way, they can, under cover of rectifying some technical error or small inadvertence, re-construct the governing body? If a precedent of this kind is allowed to pass without remonstrance, where are we to stop? The Commissioners are a powerful body standing altogether outside Parliament. They seem to assume to sit in a judicial capacity, and to consider all these questions without reference to the Act of Parliament. Is the Act of Parliament to be carried out according to its words and spirit, or under the section which gives them powers of modification? Are the Commissioners virtually to be enabled to re-construct the governing body without notice to the community at large? The case which has been brought to my notice is this: The Commissioners "modified" an order by adding three to the four Trustees proposed to be appointed in the original order. I believe such a modification to be beyond the statutable discretion allowed to the Commissioners. The other point is this: The Commissioners nominated in their "modified" order three Trustees who were notoriously hostile to the existing application of the trust money to elementary education. They desired to apply the trust money to middle-class education. I ask my hon. Friend to say how far the Commissioners have a right to construe the law in regard to these modified powers according to their own absolute discretion, and to act according to their own ideas without statutory publication? I hope that Parliament will take care that this very powerful body is not allowed to become too powerful. At any rate, we ought to know what the principles are under which they claim to act.

*(12.53.) MR. J. W. LOWTHER (Cumberland, Penrith): The first important point which was raised by the hon. Member for Lichfield (Sir J. Swinburne) was one which I am almost ashamed to go into again, seeing that it has been brought forward so many times by the hon. Member, and that I thought I had convinced even him of the justice of the course taken by the Commissioners. I refer to the question of the appointment of Representative Trustees. The matter stands thus: In the small hours of the morning the hon. Gentleman carried a Resolution to the effect that in the opinion of the House every scheme of the Charity Commissioners ought to provide that a majority of the Trustees or managers should be directly appointed by the ratepayers of the locality to which the charity applied. It was pointed out at the time that that was an impracticable resolution and ought not to be put in force. The matter came before the Committee which sat upstairs for two Sessions. It was fully gone into, and the Committee reported that they had failed to satisfy themselves that the Resolution could be beneficially carried into effect. The hon. Member himself gave evidence before the Committee, and in his evidence he actually suggested that Christ's Hospital should be placed under the control of the Metropolitan Board of Works. I think that after evidence like that, it was clearly proved to the Committee that the proposal of the hon. Member was absolutely impracticable. The Committee recommended that the Charity Commissioners should be allowed to preserve freedom of action in organising the governing bodies of charitable schemes,

but that they ought to bear in mind that it was in the interests of education to enlist the sympathies of the localities in the welfare of endowed schools by giving them representation either direct or indirect through elected bodies. The hon. Member asks whether the Commissioners have loyally carried out the decision of the House, and my reply is that we have loyally carried out the decision of the Committee which sat upon and considered the Resolution of the hon. Member. At the present time we are constantly giving a large share in the management of charitable schemes to representation, either direct or indirect through elected bodies. In a recent scheme to which the hon. Member referred in connection with the Lichfield Charities, we have provided for a local election of trustees in every ward of the town. I am sure the hon. Member knows very well, from his experience of the work we have been carrying on, that in every case in which we have thought it right, we have given direct or indirect representation. The hon. Member must bear in mind that in many of the charities for which we make schemes the income is very small; and if we were to provide for direct representation, the whole of the income would be swallowed up by the cost of the election. But we provide representation indirectly through elected bodies. The hon. Member complains in regard to a certain charity that the lawyer's bill was too high, and that it was sent in by a firm of solicitors in which the clerk of the charity was a partner. But the lawyer's bill was taxed, and not reduced, as it was found that the charges had been properly made. The hon. Member also complains of the stewards' fees; but, perhaps, I may be allowed to say that the clause which deals with that question is purely permissive. If the trustees of a charity think that the salary received by their steward or clerk is too high, they have power to reduce it. If they consider that 10 per cent. of the gross receipts is too large a sum to pay the clerk for collecting the rents and acting as clerk they can reduce the amount. The provision in the clause is merely an optional one, and a maximum, and not a minimum, is laid down. The hon. Member for Rugby (Mr. Cobb) asked questions in regard to the accounts. The accounts received at the office during last year amounted to 27,942 against upwards of 31,000 in 1889, showing a considerable diminution. These figures might be misleading, however, unless I drew attention to the fact that many of the charities have been consolidated. The Commissioners have done what they can to simplify matters in this respect. They issue a form of a simple kind on which the accounts of the charities are sent in. The law on the subject, as the hon. Member no doubt knows, is that it is compulsory upon the trustees of charities to send in copies of their accounts to the Commissioners, and the latter have power, if they think fit to do so, to inquire into the accounts of any charity. As a matter of fact, we do not compare the number of accounts sent in with the number of charities on our books, and we do not call upon any charity to send in its accounts unless our attention is specially directed to the matter.

*MR. COBB: How many charities do not send in their accounts?

*MR. J. W. LOWTHER: That I cannot say, the accounts are coming in more regularly than they did, but still there is a considerable number—perhaps some thousands—of charities which do not send in any accounts. Even now a considerable number of charities exist which the Commissioners do not know of, but that number is decreasing every day. The hon. Member has asked me whether it would not be possible to have some uniform method of appointing new trustees. The requirements of localities differ greatly, so also do the trusts; some are applicable only to Church purposes, and others are of an open character; in some schemes one parish is, and in others two or more parishes are, interested, and this has to be borne in mind in fixing the number and nature of the trustees. Therefore, in my view it would be impossible, owing to the variety of circumstances which surround these different charities, to have a cast-iron method applicable to all cases. The hon. Member has spoken of the admir-

able results of public inquiry. I quite agree with him on that point, and experience has shown that in very difficult cases the local friction, which unfortunately so often exists with regard to charities, is modified, if not altogether eliminated, when one of the officials of the Commissioners is sent down to hold a public inquiry. The Commissioners hold a public inquiry wherever they can properly do so, and there is a reasonable chance of its being successful, because they have found that by doing so they themselves are not only better informed with regard to the charities, but the two opposing parties are brought face to face, with the result that in most cases the difficulties which divide them disappear. I am afraid that I cannot give the hon. Member the information he asks for in respect to the municipal charities of Warwick, but if he will put a question upon the Paper on the subject I will do my best to answer it. The hon. Member for Oswestry has asked me questions with respect to the appointment of trustees, and whether the Commissioners always act upon the principle of appointing only such trustees as are what he terms "loyal to the trust." That expression is rather vague, because, however disloyal to the trust the trustees may be, they cannot alter the trust in any way. All that they can do is to apply to the Commissioners to alter the trust, but in no case will the Commissioners allow the trust to be diverted from its original object to one totally different. The hon. Member has suggested, in illustration of his argument, that a majority of the trustees of a Wesleyan trust being Roman Catholics might change the character of the trust from a Wesleyan to a Roman Catholic trust. That, however, is an impossibility; indeed, it is the reason of the existence of the Commissioners to prevent such diversions of trusts, and they would not listen for a moment to proposals of that character. As a general rule, the Commissioners do not appoint as trustees of a charity connected with a particular form of religious belief any persons who have shown themselves hostile to that particular form of belief. In the case of open charities, however, where no question of Church or Nonconformist views is involved, the Commissioners do not think it incumbent upon them to make investigations into the religious belief of those persons whom they appoint trustees. It is quite true that in some cases the Commissioners, where, in their opinion, there is no reconstruction of the trust, do not republish the scheme merely because they have increased the number of the trustees. The Act of Parliament gives us power to dispense with such notice. We consider each case upon its merits, and our judgment is guided by particular facts. The hon. Member quoted a case in which we originally proposed to nominate four trustees, but in which we altered our order and added three, without republication. The facts were that there were originally two Trustees who sent to us a requisition to appoint four more. We issued an order nominating the four suggested by the Trustees. Then we received Memorials from the Joint Education Committee—for the case occurred in Wales—that we should appoint three persons named by them. The case was fully considered in the locality. We received further Memorials, I think no fewer than five, and one signed by 200 or more, some of which favoured the appointment of the four Trustees named in our first order, and others recommending the substitution of the three other names, and in the end we decided to appoint all seven. Surely that was not such a re-construction of the body of Trustees as to necessitate republication. The hon. Member suggests that nine Trustees form too large a body to manage a charity of £60; but bearing in mind the conflicting representations made to us, we did the best we could, and probably gave satisfaction to neither party. As to nine being too large a number of Trustees, I may remind the hon. Member that the Joint Education Committee, when considering the new scheme for this very charity, voluntarily suggested that there should be nine Trustees, showing that they did not think it too large a body. The interests of more than one parish were concerned. I think I have answered all the questions put to me on the subject, but I shall be glad to give any further information in my power. I can only thank the Committee for the patience with which it has listened to me.

*(1.15.) SIR H. DAVEY (Stockton): I do not think the Committee will regret the time that has been occupied in discussing this subject, because nothing could be more interesting to the country at large than the proper, the economical, and the due administration of its charities. The Charity Commissioners have often been attacked from various points of view; but I have seen a great deal of their work, both as regards general charities and more particularly with regard to the administration of their powers under the Endowed Schools Act; and I venture to say that any Member who takes the trouble to examine the work they have done will be struck by the very liberal-minded way in which they have exercised the powers conferred upon them. No doubt they are human, and have consequently in some cases made mistakes. They have been guilty, of course, of errors of judgment, but when the vast amount of property and the vast number of charities they have to deal with are considered, it will be realised that they have done their work well, and that the country owe a deep debt of gratitude to them. I propose on this occasion to address a few observations to the House as to the educational endowments of the country. There is no doubt in my mind that in past times, and to a large extent in existing days, those educational endowments have been very largely monopolised by the upper and middle classes, and have to a great extent been wasted, so far as any good to the general body of the people is concerned. I suppose there is scarcely a Member of the House who has not at one time of his life derived some benefit from the charitable educational endowments of the country. It may perhaps surprise some hon. Gentlemen who have been educated at Eton, Harrow, or Rugby to know that they have enjoyed the benefits of a charity in the shape of school buildings, for which they have had to pay no rent, and in the form also of chapels and playing fields. Many Members of the House—I include myself amongst them—have derived direct pecuniary benefit from those educational endowments by receiving more or less substantial exhibitions to assist in their support while going through their University course. I will say nothing as to scholarships or fellowships, because they are on a different footing. I prefer to confine myself to the educational school endowments of the country, and I venture to assert that the Charity Commissioners have rescued a good many school charities from extinction, because there are many schools now flourishing which were formerly moribund. Of that we have an instance within a very short distance of this House. I refer to the Westminster day schools. It appears to me, however, that the powers of the Commissioners are too restricted. In the first place, they are restricted by the Report of the Schools Inquiry Commission, which is embodied in the Preamble of the Act. They have, rightly in my opinion, held themselves bound by the policy which was indicated in that Report. Their powers also are restricted in the matter of applying to educational purposes charities which are not strictly educational, but which it would be for the benefit of the community to apply to such purposes. Their powers, too, of consolidating charities are limited. Therefore, if it is desired to secure anything like a scheme of management of those charities for the purpose—which I strongly support—of applying them to the secondary education of the people of the country, we must invest the present Charity Commission with larger powers, or we must create a Commission with sufficient powers for the purpose. There are a good many people nowadays in favour of applying charity money in support of elementary education. Personally, I think there is a good deal to be said in favour of that view, but it is not a popular one, and will probably not prevail in the House, because it will be suggested that the charities are being devoted to the relief of the rates. The subject of secondary education is one which before long—indeed, perhaps, within the next year or two—must engage the attention of Parliament, and if we are asked, as we probably will be asked, to provide cash out of public funds for its promotion, I think Parliament, before it votes the money for the purpose, ought to take in hand the whole re-organisation of the educational endowments of the country, with a view to

providing the necessary funds. What is wanted is secondary schools, with at any rate a large number of free places to be set apart for scholars from the elementary schools who have most distinguished themselves by their industry and capacity. I know of no more advantageous mode by which we can apply the educational endowments of the country than that. There are three matters which it has occurred to me it would be necessary to provide for. What is wanted is a scheme of general organisation. We want in the administration of educational endowments some general system and some large scheme of administration, and for that purpose we require consolidation. We must take larger powers than at present exist for diverting charities from localities where they are not wanted, and throwing them into a general mass for the benefit of districts where they are wanted. I know that that is a very thorny subject, and will create a good deal of opposition; but if we desire to do anything in a large way we must put an end to the system of local charities and must consolidate those educational endowments, with a view to applying them to large areas and placing them under a single management, so as to secure the establishment of secondary schools in convenient parts of the country. We must also get larger powers than at present exist for sweeping into the educational net a number of the dole and bread charities and other charities of a similar kind. These charities, no doubt, hon. Members are familiar with. It will be admitted that in some cases they positively do mischief, while in almost all cases they do little if any good, and it would be better if they could be applied to educational purposes. At present the Commissioners have only power to divert those charities to educational purposes with the consent of the Trustees. In many cases that consent is, I am bound to say, forthcoming, but in some cases it is withheld, and in my opinion it is very desirable that these charities should be swept into the educational net and consolidated under a single Board of Management. I see no reason why the general management of secondary schools maintained by educational endowments in a county should not be given to a Committee of the County Council itself, or if that is objected to there might be a Board of Management for the secondary schools of the county on which there should be a large representative element. It is needless to point out the increased economy which would result from having one General Board instead of a separate system of management for each charity. I hope before long to see all charities under one general system of management, because that will do away with the clashing of interest, and we shall no longer hear of any such difficulties as those which occasionally crop up when masters of grammar schools insist on giving a classical education, though it is not desired in the interests of the scholars attending the schools. Neither will there be schools maintained in localities which are dwindling down, and which are maintained simply because those places were once populous and required such schools. If we had one general management we should find no difficulties of that kind. We should not only have more economical management of charities, but the charities would be applied more directly and more efficiently to the purposes for which they exist. I am well aware there are difficulties in the way, but difficulties of this kind are only made to be overcome. Probably public opinion is not ripe for the full measure I have ventured to sketch out. But if it is brought home to the people of this country that there are already public funds which, if better organised and administered than they can be under the present law, will, if not entirely, at least to a large extent, provide means for secondary education, public opinion will be enlisted in the matter. It is very difficult, no doubt, to get a body of Local Trustees to resign their management to a general body, and there is also difficulty occasioned by religious differences. The teaching in some of these schools is by charter, Act of Parliament, or otherwise confined to members of the Church of England. In others it is not so, and no doubt that is a difficulty which we shall have to face. But I do not think the difficulties insuperable, and I have made these remarks because I believe, after what has been done for elementary education, the question of

secondary education is one which before long Parliament will have to deal with, and I am anxious it should be dealt with in connection with our charitable educational endowments.

(1.36.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I hope my hon. and learned Friend will not think it is from want of courtesy or because the Government underrate the magnitude of the question if I do not go into the matter which in a very interesting speech he has brought before the Committee. I recognise the importance of the question, but it is a very large subject to bring forward in connection with the particular point the Committee is now engaged on, and its discussion would occupy a considerable time. We should not make real progress with the Estimates if we were to follow up the matter the hon. and learned Gentleman has raised, and I would appeal to the Committee to allow us now to bring this discussion to a close. If hon. Members desire to bring their labours to a close in a reasonable time I trust they will do what I am doing in this matter, and that is exercise considerable self-restraint. But for that I should have liked to make some reply to the speech of my hon. and learned Friend.

*(1.40.) SIR J. SWINBURNE: I should be glad if the right hon. Gentleman will allow me a few moments in which to reply to some remarks made by the hon. Member for Penrith. I have no doubt the hon. Gentleman quoted my evidence before the Committee upstairs correctly, but he seemed to ridicule me for having suggested that Christ's Hospital should be put under the management of the Metropolitan Board of Works. I then knew, as many others did, that the days of the Metropolitan Board of Works were numbered, and that a representative body like the County Council would take the Board's place. I do not see why the County Council should not through one of its Committees make a very good governing body of Christ's Hospital, as has just been proposed by the hon. Member for Stockton. As to public inquiries, I desire to take this opportunity of thanking the Commissioners for acceding to my request that inquiries should be held in the evening when working men could attend. I have also to give the Charity Commissioners great credit for having merged, especially in Lichfield, a number of small charities together. But what I ask the Commissioners to take up immediately is the question of accounts. At present the Trustees of charities are not obliged to send statements of their accounts to the Commissioners. [Mr. J. W. LOWTHER: Yes.] I understood the hon. Member to say that many hundreds were not sent. At any rate, there was no power to enforce the rendering of accounts, and even when accounts are sent the Commissioners exercise no control over them.

*(1.44.) MR. MORTON (Peterborough): I quite appreciate the appeal just made by the Chancellor of the Exchequer, but I do not think that appeal should prevent us considering the items in this Vote. I should like to ask the hon. Member for Penrith what he means by his answer just now to the hon. Member for Rugby with regard to the taxing of solicitors' bills in the office? What means have the Commissioners of taxing lawyers' bills; and have those who oppose the bills any right to make representations in the matter? Then I find the sum of £25 for the purveyor of luncheons. I will not move a reduction in respect of that item, but I trust the hon. Gentleman will consider whether this should not be the last occasion on which the Vote should include such an item. Under Sub-head E I find £600 for travelling allowance to Assistant Commissioner. Last year £250 only was voted. I should like to know what is the reason of the increase. Then as to the City of London Parochial Charities Department. I understood the hon. Gentleman to say last night that the powers of the Commission would end in March, 1891; he explained to me afterwards that he should have said 1892. I had understood that the work of the Commission practically ended on the 23rd of February in this year, and I wish to know whether the hon. Gentleman seriously considers that it is wise or fair to go on expending this money, which should be used

for the benefit of the people of London, and not in mere official expenses?

*Mr. CREMER (Shoreditch, Haggerston): Perhaps I may be allowed to put the question I have put on other Votes, namely, how many hours the clerks in the Department are employed?

*(1.50.) Mr. J. W. LOWTHER: With regard to the taxing of lawyers' bills, the Commissioners have power to tax such bills, and there are one or two clerks who perform the duty whenever it becomes necessary.

Mr. MORTON: Are opponents allowed to be represented?

*Mr. J. W. LOWTHER: I should think so. As to the item for the purveyor of luncheons, the circumstances have been explained more than once, and I have nothing to add to what has been said by the Secretary to the Treasury. Reference has been made to the increase in the travelling allowance to the Assistant Commissioner. The learned gentleman has under an Act of Parliament been appointed to attend all the meetings of the Welsh Intermediate Joint Education Committees. Such attendance involves a great deal of travelling about Wales now that the Committees are in full swing. As to the City of London Parochial Charities Department, I fell into an error last night when I said the powers expired in 1891: I ought to have said 1892. I believe it has been decided to continue the Act for, at least, six months, possibly a year. Anyhow, there will be a considerable diminution in the staff. The hon. Member is wrong in supposing that the whole labours of the Commissioners came to an end on the 23rd of February last. Only one scheme out of 20 or more schemes dealing with the City of London Parochial Charities came into force then. There are several schemes going through the mill now, and in order that they should reach the haven of approval by Her Majesty in Council it is necessary that the powers of the Commissioners should be continued. The hon. Member for Shoreditch asked what hours are worked by the clerks. A portion of the Upper Division clerks are 6-hour men, but I believe the average attendance is 6¾ hours: many of them remain 7 hours and more at the office. The rest of the Upper Division clerks and all the Lower Division clerks are 7-hour men.

*(1.54.) Mr. ROBY (Lancashire, S.E., Eccles): The hon. Gentleman in answering what I said last night referred me to a passage in the Report of the Charity Commissioners, in which the Commissioners themselves, recognising the permanent character of much of the Endowed Schools work, expressed a hope for its discontinuance and re-organisation in some shape or other. I cannot help thinking it would have been well if the Chancellor of the Exchequer, when he paid his fleeting visit to the House, had been good enough to explain in what way the Government propose to deal with the matter. I rise especially to ask the hon. Member for Penrith whether he will furnish a Return showing what endowments for educational purposes coming under the powers of the Endowed Schools Act, and still remaining within the jurisdiction of the Charity Commissioners, have not yet been dealt with by the scheme?

*Mr. J. W. LOWTHER: I think that, so far as the charities have been ascertained to be within the Endowed Schools Act, such a Return can be given, but I cannot give a pledge in the matter without consultation with my fellow Commissioners.

Vote agreed to.

2. Motion made, and Question proposed,

"That a sum, not exceeding £26,441, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Civil Service Commission."

(1.55.) Sir G. CAMPBELL (Kirkcaldy, &c.): I desire to move a reduction of this Vote, in order to call the attention of the Committee to what I think is a retrograde movement on the part of the Civil Service Commissioners in regard to the nature of the examinations which they prescribe for entrance into the service of the Crown. The Commissioners have reverted to the monkish notion that the soundest and most liberal education is the old classical training,

and Latin has now been made a compulsory subject, while English composition has been relegated from the first to the third rank. That young men wishing to enter the Military Service should be compelled to take up Latin is absurd. Latin, taught from a philological point of view, may be very useful; but that is not the way in which it is taught at the public schools. The result of the change is bad for the Public Service, and is a retrograde step in the education of the country. These are days when the people do not want to acquire education that is not useful; they want that education which will fit them to become useful citizens of the Empire; but you limit yourself to the old classical education, and discourage the improvements and reforms of modern education by this policy. I protest against the idea that underlies what has been done on this subject, the idea that for an appointment in the Public Service you ought not to insist on any useful knowledge but upon the old-fashioned notion of what constitutes the liberal education of a gentleman. People travel freely all over the world now, and engage in great enterprises, and they want a modern education, including elementary science, modern languages, knowledge of the physical world and the distribution of its races, political economy—not that which has been banished to Saturn—and the principles of jurisprudence that underlie all laws. But you exclude, or rather throw into the shade of non-compulsory subjects, branches of useful knowledge in favour of the old idea of classical education. If you make your examinations for entrance into the Public Service upon subjects of useful knowledge, you will not only benefit the Service, but you will influence the teaching in the public schools. But this action is likely to check the movement in public schools in favour of modern education which public opinion has created. We have a modern side to our public schools, though it is somewhat starved and overweighted by the endowments on the other side. Still, there is a disposition to recognise modern acquirements; but now the Civil Service Commissioners throw their weight on the other side in favour of classical education. I do not deny that it is desirable, as the Secretary for War has said, to get young men to enter the Service from the public schools; but you will secure this, and you will influence the education given in those schools, by the compulsory subjects you insist upon. You should not adapt your subjects to the system of the schools. I am justified in protesting against the Commissioners, who prescribe the subjects for examination for candidates for the Public Service, throwing their weight in the scale in favour of classical education as opposed to the modern ideas of a liberal education. The elevation of Latin to a compulsory subject, and the relegation of other subjects to the optional class, is a retrograde step. The Civil Service Commissioners are the original offenders, and I move the reduction of the Vote under the head of salaries of the Commissioners by £500.

Motion made, and Question proposed "That Item A, Salaries, be reduced by £500, part of the Salary of the Civil Service Commissioners." — (*Sir G. Campbell.*)

(2.13.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The hon. Member has entered his protest, of which we cannot complain, and he has discussed at considerable length his entire opposition to the views of the War Office and the Civil Service Commissioners. I do not feel myself qualified to criticise the action taken by the War Office and the Civil Service Commissioners. The change was made at the wish of the War Office, with the full concurrence of the Civil Service Commissioners, and I take it these two Bodies are charged with a duty they are well qualified to discharge. The hon. Member has spoken of a great change, but so far as I know no great change has been made.

SIR G. CAMPBELL: English is relegated to the third class.

MR. JACKSON: The change made by the Commissioners makes very little difference, as under the former system marks are assigned to the subjects which will be taken by the great majority of candidates. The hon. Member says changes have been made in subjects

generally, but I do not think that is so. It is true Greek has been omitted from the Foreign Office list, but I am not aware of any other important change. I am quite sure that anyone who knows the care and attention given by the Civil Service Commissioners to their important duties will give them credit for the desire, so far as they can, to make the examinations fit in with the general system of education throughout the country, and to secure the best among the candidates offering themselves. Anyone who knows the care the Commissioners give to their duties will feel, whatever may be the difference of opinion, that they are a body very competent to form a sound judgment, and, so far as I am concerned, I am disinclined to criticise their action. This question was, I believe, raised on the Army Vote. It was then carefully considered and thoroughly discussed, and I hope that the hon. Member having made his protest we may now be allowed to go to a Division.

*(2.15.) GENERAL SIR F. FITZWYGRAM (Hants, S.): I know that a great many officers deeply regret that the Secretary of State for War has yielded to the public schools. If he had stood to his guns, he would have compelled the schools to teach modern science and modern languages. I quite agree with the spirit of the speech of the right hon. Gentleman the Secretary for War when he said he desired to avoid the evil of young English gentlemen being sent abroad to learn foreign habits with foreign languages, but my contention is that if my right hon. Friend had stood firm he would have compelled the masters of Eton, Harrow, and our great schools to give the instruction required to obtain admission into the Army, and I regret that he has not done so. Another matter which ought to receive attention is that of plain, legible handwriting, most boys leaving school quite unable to write legibly. This is in a measure due to the practice of setting boys the imposition of writing so many hundred lines at a time. I am sure most hon. Members will recognise the importance of this. I confess my own correspondence presents many difficulties in this respect, and I attribute this defect to no fault of my own, but to my school training. There is another matter which, perhaps, I may here mention. The indistinct utterance of some of the examiners who set dictation leads to many of the candidates making mistakes which they would not otherwise fall into. I do not speak of any present examiners, but from complaints I have heard in years past. The Army generally do not acquiesce in the change which has been made with regard to classical learning.

(2.15.) MR. MARJORIBANKS (Berwickshire): I do not agree with the hon. Member for Kirkcaldy, or with the hon. and gallant Member who has just spoken. In my opinion, the Civil Service Commissioners have done an exceedingly wise thing in endeavouring to meet the public schools half way; because the public schools have already gone far in the introduction of modern subjects into their curriculum. The Commissioners have acted wisely in making Latin, which occupies a high place in public school education, a compulsory subject of examination. The War Office are wise in endeavouring to get as many boys as they can from the public schools sent direct to Sandhurst or Woolwich rather than those who have been sent to crammers. I shall support the Government.

*(2.17.) MR. ROBY: I regret that the right hon. Gentleman has given the weight of his authority in favour of a change for which there does not seem to be any excuse. The effect of the change is to displace English as a necessary subject and to put it in only as an ornamental one. I admit I do not know much about the Army, but it does seem to me that the power of writing English with clearness of writing and expression is one of the most useful qualifications a public servant could possess, and I should have thought it an exceedingly useful one for officers of the Army. To substitute for that and for some knowledge of English history such a knowledge of Latin as will be got up by making it a compulsory subject is a great mistake. It is not a question whether due weight should be given to Latin or to previous training at

a public school. That can be done by giving an adequate number of marks to each. But a subject should not be made compulsory which is not of distinct value to a particular profession. Optional subjects should be recognised, but nothing which is not of real importance to the business of a profession should be made compulsory. If it is to be a sufficient defence of such a change that the Commission recommended it, there is no use in Parliamentary supervision of these matters, and much that comes before us would be withdrawn, a great change being made in Parliamentary procedure. To make Latin a compulsory subject is to hinder many candidates from getting up subjects which would be of more use to them, and the amount of Latin which is acquired will often be worth nothing.

*(2.20.) MR. SUMMERS (Huddersfield): I quite concur in the view expressed by the hon. Member who has just spoken. This change, by which Latin is made an obligatory and English an optional subject, has been brought about in a secret and clandestine manner. We find in the correspondence in relation to this subject that a communication from the head masters of public schools is not given because it was marked private. But I contend that any representation from head masters ought to be submitted in such a form that it could be laid before Parliament. Not only the change itself, but the reasons for the change ought to be laid before this House. I think the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) rather let the cat out of the bag. This is really a contest between the masters of public schools on the one hand and the so-called crammers on the other. The latter have secured more success in the examinations than the former, and the head masters of the public schools are accordingly trying to manipulate the examinations in their own interests.

(2.22.) SIR G. CAMPBELL: If I thought that this movement emanated from the War Office, and if it was confined to military candidates, I should have little to say; but it is clear that the initiative came from the Civil Service Commissioners.

MR. JACKSON: With their full concurrence.

SIR G. CAMPBELL: Reference is made in the correspondence to representations made to them by the head masters of the schools. I will not enter upon a consideration of the question as between public schools and crammers. I do not question the view that it is desirable to get candidates from the public schools, but it is a question what education should be given in public schools. The question is whether the schools should give a sound and useful education to fit young men for the Public Service, or whether we should yield to the old prejudice in favour of this old monkish classical education. The War Office is guided by a small majority of head masters. Many eminent head masters are by no means in favour of this retrograde step. I have heard many complaints from parents who sent their boys to the modern side of a school and now have to send them back to learn Latin, because the War Office have suddenly turned round and made this change. In default of a better defence of the change than we have had I must trouble the Committee to divide.

(2.27.) The Committee divided:—Ayes 48; Noes 84.—(Div. List, No. 348.)

Original Question put, and agreed to.

3. £37,291, to complete the sum for Exchequer and Audit Department.

4. £4,972, to complete the sum for Friendly Societies Registry.

(2.57.) DR. CLARK (Caithness): I want to ask the Secretary to the Treasury some questions, but I see he is not here. There was a Select Committee sitting for some years inquiring into the question of Friendly Societies, and they made a Report in reference to the re-organisation of the Friendly Societies Office. I understand that the Registrar will retire next month, and that the Office will be re-organised. But I also understand that since the Select Committee sat a Departmental Committee has been sitting to consider the question of re-organisation, and has arrived at conclusions different to those of the Select Committee. I want to know from the Government what they intend to do. Do they intend

to carry out the recommendations of the Departmental Committee? We have been voting £1,000 a year for the past eight or nine years for the preparation of a scale and tables, but they are not yet finished. As so much time has elapsed since they were begun, it will probably be necessary to revise the tables before they are published. Will the amount we are voting this year be the last that will be required, and when may we expect to have the tables issued? If they are to be of use we ought to have them at once, and if £2,000 or £3,000 is required to finish them, the money should be voted for the purpose, especially when we consider that a Bill has been brought forward by the Government to compel Friendly Societies to give paid-up or surrender policies to their members. Who composed the Departmental Committee, and how do their recommendations differ from those of the Select Committee?

A LORD OF THE TREASURY (Sir HERBERT MAXWELL, Wigton): I must apologise for not having been in my place when the hon. Member rose to put his question. The recommendations of the Departmental Committee were mainly three—first, that the Returns should be administered in the Department of the Actuary; secondly, that the rules should be dealt with in the Department of the Assistant Registrar; and, thirdly, that the general management of the Department should be under the charge of the Director of the Department. These recommendations have either been carried out already or are in process of being carried out. I hope the Committee will now allow the Vote to be taken.

Vote agreed to.

5. Motion made, and Question proposed,

"That a sum, not exceeding £111,704, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Local Government Board."

*(3.4.) MR. S. SMITH (Flintshire): I desire to call the attention of the Committee to the question of emigrating pauper children. The number of pauper children who are annually emigrated appears to be exceedingly small. In 1885 it was 301, in 1886 it was 164, in 1887 the number was 411, in 1888 it reached 596, which is the largest total during late years, and in 1889 it was 428, and in 1890 it was 375, so that it will be seen that the number has fallen off in the last two years. On the other hand, the number of pauper children dealt with by the Guardians is very large, the total number in England and Wales being 241,000; of these, 51,000 are indoor paupers and 189,000 outdoor paupers, the latter number including 4,366, who were boarded out. I wish particularly to direct attention to the 51,000 children who are still in the large district pauper schools, there being also a considerable number of children in the industrial and reformatory schools belonging pretty much to the same class. The bulk of the 51,000 children in the pauper schools are either orphan or deserted children, and, consequently, are entirely at the disposal of the State, because they are, so to speak, wards of the State. It appears to me that from every point of view, whether we consider the interests of the children themselves or the interests of the ratepayers, the emigration of these children would be of immense advantage as contrasted with our present method of dealing with them. I may point out that for a number of years past several private agencies have carried on the work of emigration in the interests of children of this class with very great success. One agency with which I have been connected for the last 17 or 18 years has emigrated about 2,500 children, while the institutions associated with the names of Mr. Quarrier, Dr. Barnardo, and others are carrying on the same kind of excellent work, so that something like from 2,000 to 3,000 children are sent out every year to Canada and elsewhere with immense advantage to themselves, and at a comparatively small cost. The contrast between the position of a child sent out to a farm in Canada, and that of a child brought up in an English workhouse is enormously in favour of the emigrant. The pauper child in England is brought up in a huge school with probably 1,000 others, where there is a great want of that sort of natural life which is necessary to fit the child for

its after career; and although much has been done to improve the system prevailing in this country, it was demonstrated by Mrs. Nassau Senior 12 years ago that about 50 per cent. of the girls used to go altogether to the bad, although of late years great improvements have been introduced, and that proportion is said to have been reduced to only 10 per cent. However, it is well known that a large number of those who are brought up in the pauper schools go back to their original position. The average cost per head of rearing the pauper children in London schools is £20 or £25 per annum, and as they are often kept, on an average, about five years, the average cost per head per child in the pauper schools is about £100, whereas we can emigrate them to Canada, paying the whole cost of the agency, for £10 or £15 per head per child. From two points of view the emigration system has an enormous advantage over our pauper system. In the first place, the future chances of the child are many times as good in Canada as they are at home; and, in the second place, there is a saving of from three-fourths to nine-tenths of the outlay that would otherwise have to be made. This is not a theoretical question, because we have thoroughly tested the system I am advocating. We have carried on this emigration work for many years with the greatest possible success. We have found that at least 95 per cent. of the children sent out to Canadian farms have turned out well. Before going out they receive the necessary amount of practical instruction, while at the same time the moral and religious element is duly attended to, and it is found that those who are doing these things as a labour of love are bringing influences to bear upon the children which are far superior to those of mere salaried superintendents. I do not know any system by which the results can be so well followed up as that which we have adopted. One of the difficulties raised by the Local Government Board arises from the fact that whatever pauper emigration takes place must be inspected by the Canadian Government, whereby the children are branded as paupers. They have to be sent out and distributed in Canada as pauper children, while in the case of the private emigration agencies the children's chances are much better than where they have to be described as paupers. The children sent out by these agencies are treated very differently from the pauper children here. They live upon large farms generally of from 200 to 300 acres. They sit at the same table as the farmer, partaking of the same food, and grow up in a few years strong and sturdy men and women. There is no comparison between the condition of such a child and a child brought up in an English workhouse. Then with regard to the economical part of the subject, here in England we have to expend a large amount of public money which necessarily comes from the pockets of the ratepayers; but if the children were emigrated this expenditure would cease, and the ratepayers would be saved a large amount of needless outlay. In some of the London pauper schools the children are costing as much as £20 to £30 per head per annum, whereas the whole income of the family from which each child is taken is probably not more than £40 per annum. A more wasteful system of bringing up children than that which is here adopted it is hardly possible to conceive, and yet it continues to go on in spite of all the representations that have been made against it. I have brought this matter before the House on several former occasions, and I am taking the same course to-day, with a view of our getting from the right hon. Gentleman the President of the Local Government Board an expression of his views upon the subject. I only ask the right hon. Gentleman to put a spur on the Guardians, and I would suggest that he should send a Circular round to the different Boards asking them to freely communicate with him on this important subject. We have been talking about this matter for at least 20 years, and nothing of a really practical character has been done. Let us now make an early effort to find out what are the impediments to the adoption of a wise and sound system of emigration in the case of these pauper children, and we shall then be enabled to see whether they cannot be removed. I am sure I can count on the sympathy of the right

hon. Gentleman, and I hope he will be enabled to say something which will help on this subject.

*(3.24.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The emigration of pauper children is a matter in which I take a considerable amount of interest, and I shall be glad, within the limits of safety, to encourage the Guardians to emigrate children to a larger extent than they do at present. The hon. Gentleman knows that four years ago I issued a revised set of Regulations with regard to the emigration of these children, and I do not think the hon. Gentleman could himself find any fault with those Regulations. The Local Government Board adopted what they considered the minimum of safety in fixing these Regulations. They provided for the proper inspection of these children when they arrived in Canada. Although in nine cases out of ten the children are better off in Canada than they are here, it was essential that Regulations should be made under which a Report should be sent from time to time of what becomes of them. It would not be right or proper that the Guardians should emigrate these children and then wash their hands of them. They also provide that the children should go through some amount of training before they are emigrated. These are really the only limits that have been put on emigration. The hon. Gentleman spoke of these children as being in the hands of the Government. They are not in the hands of the Government; they are in the hands of the Boards of Guardians. The hon. Gentleman asked the Local Government Board to put the spur on our Boards of Guardians. I do not think we could put on any greater spur than is put on them already. The cost of emigration is something like £11 a head, without any further charge on the rates. Comparing that with the annual cost of bringing up each child in this country, it will be seen that the Guardians have a very great inducement indeed to send the children to Canada. The hon. Gentleman cast reflections on the Boards of Guardians, as being interested in the buildings and other matters. I must dissociate myself entirely from suggestions of that kind, as I do not think that anything which is known at all justifies any such reflections. I am glad to be able to say that the Reports received from Canada with reference to these children are increasingly favourable, and the last Report was the most favourable of all. We desire to encourage Boards of Guardians to take advantage of the facilities for emigration as far as they rightly can; but it would be going beyond the duty of the Local Government Board if they were to apply the spur, because that might lead to a wholesale emigration, which would land them in far worse evils than any which exist at the present time.

(3.32.) DR. CLARK: I intend to take a Division on this subject. I see no reason why the inspection of casual wards in the Metropolis should not be carried out by, and at the expense of, the County Council, in the same way as the Local Authorities throughout the country are required to do it. Similarly, the inspection of boarded-out children should be carried out by the Boards of Guardians. I object to charges in respect of such work and of auditing the accounts being defrayed out of Imperial revenues, while in Scotland local sources have to bear the whole burden. By way of protest, I shall move to reduce the Vote by £1,000 in respect of the charges for the inspection of the Metropolitan Poor Law schools, on the ground that it ought to be borne, not by the Imperial Government, but by the London County Council. I hold that both audits and inspections should be carried out, as in Scotland, by the Local Authorities.

Motion made, and Question proposed, "That a sum, not exceeding £110,704, be granted for the said Service."—(*Dr. Clark.*)

*(3.36.) MR. RITCHIE: I must point out to the hon. Member that for the purpose of the inspection of casual wards London is treated as one union, and it is necessary there should be an inspection of the casual wards in order to identify the casuals who frequent them, and so

to prevent an abuse of the Regulations, otherwise the casuals would make these wards their home, and that would be a great misfortune.

DR. CLARK: But why not leave it to the County Council?

*MR. RITCHIE: This work cannot be done by the London County Council, because that body has no jurisdiction whatever with regard to the Poor Law. The inspection of boarded-out children has, for a long time, been most efficiently carried out by a lady, with great advantage to the children, and it has been thought desirable that this lady should be placed upon a permanent, instead of a merely temporary, footing. I am sure no item in the Estimates will be more freely voted than this by those who take an interest in the boarding-out of children. As to the cost of audits, I am aware that it is not entirely covered by stamps, but it was never contemplated that it should be. I am aware that the financial relations between England and Scotland have long constituted a standing grievance with the hon. Member, but I submit that that whole question, though a proper one for discussion, cannot be gone into at the present time.

MR. CALDWELL (Glasgow, St. Rollox): In dealing with the Probate Duty the Government laid down a new principle, and allocated to England 80 per cent. of the total amount. Yet the Government, in addition to giving England the lion's share of the Probate Duty Grant, have now placed upon the Estimate the charge for the inspection of Poor Law schools, and for the audit of accounts, contrary to the understanding come to when the allocation was made. Scotland pays every penny of her own charges under those heads, and now, in addition, she is asked to pay a share of the taxation of the English accounts. I submit that these expenses, which solely affect England, should be defrayed out of England's share of the grant. Why should Scotland, after paying all her own charges, be asked to contribute a share of this £16,000 expended on England?

*(3.44.) MR. MORTON: I will not go into the question of the financial differences between England and Scotland. I think that they can only be settled by giving Scotland some sort of Home Rule, and enabling her to deal with her money in her own way. I wish to ask a question as to the inspection of the metropolitan vagrant wards. I suppose there is a similar inspection in every large town, and yet it does not appear to be paid for out of Imperial funds. Is it fair then, while Provincial towns pay for this inspection, London should be relieved of the burden at the expense of the taxpayers of the whole country? I say that it is most unfair. With regard to the inspection of boarded-out children, the right hon. Gentleman referred only to one Inspector, whereas I find that in the Estimates four Inspectors are provided for.

*MR. RITCHIE: There is no inspection in other parts of the country similar to that which is carried on in the London Unions. It is necessary to have this inspection in the Metropolis, in order to secure that vagrants do not pass from one ward to another without being subjected to the disadvantages which should follow upon such a practice.

MR. ROWNTREE (Scarborough): I had desired to discuss the principles upon which the Local Government Board based its decision in the matter of disputes between certain boroughs and County Councils as to the maining of high roads. The right hon. Gentleman answered a question on the subject some time since, and on that occasion it was not possible to discuss his reply, to which great objection was taken by many boroughs. I am quite aware that the subject is intricate and complicated, and will open up wider questions, such as the relationship of the County Councils to non-county boroughs. But I am anxious to save time, and will be content to refrain from raising the question in Committee if I may understand that a written statement of the grievances, put before the Local Government Board, will be fully considered, and a reply given in writing. If that is done I will consult with those who feel strongly upon the matter, and raise the question again on some more favourable opportunity.

*(3.51.) MR. RITCHIE: I am obliged to the hon. Member for his courtesy and consideration in making the proposal he has now made. I shall be

glad to receive such a communication, and will take care that a full reply is returned.

*Mr. ROWNTREE: I have to ask another question. A short time since I asked if the Local Government Board could not extend the practice of sending their Reports on sanitary matters, which, I think, are acknowledged to be of extreme value, to medical officers throughout the country. It appears to me almost grotesque that a Member of this House should if he wishes receive these valuable scientific Reports, while public servants who have charge of the health of thepeople should only be able to get them on paying for them, particularly when many of these medical officers help to collect the information contained in the Reports. No doubt I shall be told the difficulty may be met by the Local Authorities purchasing the Reports, which they have power to do out of the rates; but the fact is that medical officers do not care to trouble the Local Authorities on such small matters, and would prefer to have the Reports sent to them direct.

*(3.56.) Mr. RITCHIE: The hon. Member referred to this matter on a previous occasion, and I then told him, as I tell him now, that whenever a strong desire is expressed by any Medical Officer of Health to be sent a copy of a Report, especially where he has himself contributed, a copy is almost invariably sent. If, however, these Reports were distributed wholesale they would not be much regarded. The Local Authority has full power to purchase anything of the kind out of the rates; but as hon. Members can have the Reports supplied to them they might consider whether they cannot advantageously forward them to their own constituencies.

Mr. S. HOARE (Norwich): With regard to the question raised by the hon. Member for Scarborough, I may point out that the awards for the adjustment of the finances as between certain boroughs and counties are to hold good for five years. But as the rateable value of 1889 was taken as the basis of calculation, practically the award is for seven years. This is a matter which my constituents at Norwich feel to constitute a grievance. I wish to know whether there are any means by which the matter may be reviewed before the end of the term?

*Mr. RITCHIE: There is no mode of altering the award given by the Commissioners.

Mr. SUMMERS: The right hon. Gentleman promised to inquire as to the extent to which Local Authorities had availed themselves of the power of supplying periodicals and books to inmates of workhouses. Has he any information to give the Committee?

Mr. RITCHIE: I have no details. I believe that Boards of Guardians have had their attention drawn to the desirability of availing themselves of this power.

(4.0.) The Committee divided: — Ayes 66; Noes 125. — (Div. List, No. 349.)

Original Question again proposed.

*(4.10.) Mr. MORTON: I have to move the reduction of the Vote by £100. The point I particularly wish to call attention to is what appears to be the use of improper lymph by vaccination officers at Southend about a month ago. A Mrs. Cooke was summoned because she objected to lymph being taken from her child and used at once in the vaccination of other children. She claimed that the vaccine was unfit to be used, on account of her child and her family generally being consumptive. It is generally understood that it is the duty of vaccination officers to take care they use lymph that has been properly examined, so that there may be no chance of diseases being communicated by vaccination. In the case at Southend it appears the doctor took it upon himself to use the lymph immediately he obtained it, so that there was no possibility of the rule of law being observed. That is the point I wish particularly to call attention to—that it is the duty of the doctors to take care that only good lymph is used. The other matter—that of the age of the child—I have nothing to do with to-day. The lymph in the case I have referred to was about to be used immediately on being taken from an unhealthy child. The doctor, I believe, says he did not intend to use the lymph, but from all the evidence we see in the papers——

THE CHAIRMAN: I do not see how the hon. Member connects this question with the Vote.

*MR. MORTON: I understand that this is a matter which is under the charge of the Local Government Board. A large sum of money is taken here for things connected with vaccination.

THE CHAIRMAN: If the allegation were that the medical officer drew the lymph from the vaccination establishment of the Local Government Board the hon. Member would be in order. But that is not the case. It seems to me that the hon. Member's charge is one of misconduct on the part of the local vaccination officer.

*MR. MORTON: What I want is that the Local Government Board shall secure the use of proper lymph. The other point is whether it is right that the vaccination officers should sit on Boards of Guardians, thereby becoming prosecutors and judges, when the Guardians sit on the Magisterial Bench. Of course, under such circumstances people have no chance of getting their cases properly considered. I know of no other way of calling attention to this matter than by raising the question on this Vote.

*(4.17.) MR. COBB: I desire to call the attention of the right hon. Gentleman opposite to a matter he has already had under his notice, which I think he will admit is of importance, namely, the case recently before the Rugby Rural Sanitary Authority of selling bad meat. The right hon. Gentleman was good enough to answer a question I put to him on the subject. A local butcher was three times convicted of having sold bad meat. Twice he was imprisoned for periods of six months, and the third time he was fined very heavily—£40 or £50. Notwithstanding that, quite recently again the Inspector of the Rural Sanitary Authority found the man with a number of carcases of bad meat in his cart at the station, the carcases being directed to a dealer in the London meat market, and there is no doubt they were to be sent off. The meat was subsequently examined by a Magistrate and the medical officer, and was ordered to be destroyed. The case was brought before the Rural Sanitary Authority at their next meeting, but owing to some dispute about a previous case, which, however, was not on all fours with this, it was decided by a majority of one that there should not be a prosecution. The right hon. Gentleman wrote to the Rural Sanitary Authority asking them to re-consider the matter. They did so; but there seems to have been some misapprehension as to the point on which they were called upon to vote. The local Press says that the division—which was against a prosecution—was somewhat confused. It is needless to point out how important it is that the public should have sound meat, and that the Act of Parliament regulating the matter should be properly carried out. This particular case affects London more than the country, for there can be no doubt that if this bad meat had reached its destination it would have been used for sausages, and many people might have been poisoned. I want to know whether the right hon. Gentleman will be good enough, seeing that the Local Sanitary Authority were under some misapprehension when they last voted, to write to them and ask them to again reconsider the matter? A letter to that effect could do no harm. Let the question be raised before them fairly and plainly, and then if they pass a resolution to the effect that they will not prosecute the responsibility will rest with them, and when next they come before their constituents for re-election I have no doubt their action will be remembered.

*MR. RITCHIE: I remember the case referred to, and will look into it again with the object of seeing whether any further action can be taken. As to vaccine lymph, the whole question is before the Royal Commission, which is taking evidence on the very point. No doubt the Report of the Commission will deal with the subject, and then the Government will be in a position to consider it.

*MR. MORTON: May I ask whether the prosecutions at Southend will be stayed pending the issue of the Report of the Commission?

*MR. RITCHIE: I cannot say anything as to that particular case; but with regard to the general question of stopping prosecutions until we have the Report of the Commission, we have no power to do anything of the kind. So far as I

am concerned, I should be unwilling to do anything that would lead people to think that the law can be disobeyed.

(4.24.) MR. T. ELLIS (Merionethshire): I desire to call attention to a reply given to me by the Government the other day as to the refusal of the Local Government Board to constitute Corwen in Merionethshire a Local Board District. I think the objections the right hon. Gentleman the President of the Local Government Board stated to the formation of this Local Board are such as to necessitate some attention being called to it in Committee. This town of Corwen is typical of a large number of small towns in rural counties. It is not merely a market town and a steadily growing town, but one of those towns so situated by closeness to the sea and in the midst of beautiful and attractive scenery as to bid fair to become a favourite resort for visitors. The right hon. Gentleman will admit that it is of the utmost importance that in places of this sort some power should be given by which the habits of the village—the worst habits of the village—can be done away with, and the best habits of a well-conducted town can be developed and encouraged. The town, I admit, is a small one, with less than 1,400 inhabitants, and has hitherto been governed by a Rural Sanitary Authority. Now, this Rural Sanitary Authority covers a very large district, and the great majority of the members on the Board are either landowners or farmers from the adjoining district. There are, I think, two members connected with the township of Corwen itself on it; but the town has, practically, no real voice in the management of its own affairs. One of the officials of the Local Government Board, six or seven years ago, reported that scandalous sanitary abuses were allowed to exist. In consequence of this, and in view of the rise of public spirit in the town, especially after seeing that it could be made into a prosperous town and a resort for visitors, an attempt has been made during the past three years to get it constituted into an Urban Sanitary Authority. The ratepayers decided by an immense majority to apply to the County Council to hold a public inquiry. A most exhaustive inquiry was held, and the County Council subsequently voted unanimously in favour of an order converting the town into an Urban Sanitary District. The order was sent to the Local Government Board, and I understand that it would have been sanctioned at once had it not been that the Rural Sanitary Authority petitioned against it. I would point out that that decision was arrived at without previous notice, in the absence of the Corwen representatives and on the motion of the Chairman, who has been all along one of the two or three most determined opponents to the formation of the Urban Sanitary Authority. So far as I can understand, the President of the Local Government Board rather welcomed this opportunity of going against the wishes of the people of Corwen, on the ground that it is only a small township containing less than 1,400 inhabitants. I, of course, speak with diffidence on this point, as I admit the experience of the right hon. Gentleman and his Board; but I cannot help thinking it is unfortunate for a Central Authority to repress the energy of a local community who are anxious to take the initiative in bringing about a great local improvement, and who wish to take a fair and intelligent part in local government. But the right hon. Gentleman has based the whole of his objection to giving these powers to Corwen on the fact that it is a small township. I asked him the number of towns of under 2,000 population and 1,300 population who have Local Authorities. The right hon. Gentleman admitted there are 116 Urban Sanitary Authorities with populations under 2,000 and 46 under 1,300, but he said this was due to the fact that many Boards were constituted before the Central Department had power to deal with them. I should be sorry to learn that the right hon. Gentleman refuses under any circumstances to sanction the conversion of a rural township into an urban district because of its small population. To fortify my position, I turn to Scotland, and there I find that this House has passed an Act to make provision for the better lighting, paving, cleansing, draining, and generally making better arrangements for the health of the population in the populous districts by the formation of Urban Boards, with powers be-

yond those we ask for in the present instance, and 44 police burghs in Scotland have all the authority and powers we ask for in the case of Corwen. So we have 116 authorities in England exercising the power of Urban Boards and 44 in Scotland in populations below 2,000. I should be surprised to learn that in these 44 cases the authorities do their work so badly that the right hon. Gentleman would, if he had control in Scotch affairs, suppress those authorities. Surely, with the views we know the right hon. Gentleman entertains in favour of extending and developing local government, and giving to small bodies powers of initiative, it would be unwise to set up an artificial and arbitrary limit of 2,000 inhabitants. Is it not better to welcome any signs of real energy in the inhabitants of a small township like Corwen, and wise to encourage them as much as possible? In this instance, not merely is the theory upheld, but we have the County Authority which the right hon. Gentleman himself has been instrumental in setting up, coming to a decision that it would be an advantage to convert the township into an Urban Sanitary District. I hope the right hon. Gentleman will hold out some hope that he will grant the almost unanimous request of the inhabitants of Corwen that they may have an Urban Sanitary Authority. As a matter of fact, opinion against the change is confined to two or three persons, a local landowner, a large farmer, and the doctor. It would be deplorable if the right hon. Gentleman should play into the hands of a very small section against the general local opinion. Apart from the residential population, there is a continual increase in the number of visitors who come to the district for recreation and health. It is one of the most beautiful districts of North Wales, and if the energy of the inhabitants had sufficient scope, there is no doubt that Corwen would be placed on the same footing as other towns in Merionethshire and Carnarvon. With urban powers, the abuses Inspectors have complained of would be swept away, and the town would become a credit to the county and a testimony to the wisdom of the Minister who sanctioned the change.

*(4.38) MR. BRUNNER (Cheshire, Northwich): I do not intend to enter into the particular question raised by my hon. Friend, but I support his appeal on general grounds. There seems to have been in the minds of officials who—perhaps generations ago—drew up the rules and conditions of Local Sanitary Authorities, urban and rural, an idea that the ordinary rules of health do not run in rural districts. The rules for the guidance of authorities having charge in rural districts are very deficient, and I should very much like to have them overhauled by an acute modern mind, such as that of the President of the Local Government Board, with the view of bringing the regulations up to the requirements of the present day. It was with considerable pain that I found not long ago that authorities in rural districts could not insist upon a damp-proof course in a building. Now, if a damp-proof course is required in a building anywhere, it is when that building is in a garden. A building surrounded by a pavement hardly wants a damp-proof course, but if the ground is cultivated up to the walls, a damp-proof course is absolutely necessary. That is one of the instances in which these rules should be brought into conformity with modern ideas. I have it on the authority of Dr. Fox, a Medical Officer of Health, who, with great zeal and tact, administers a large district in Mid Cheshire, that many cases of consumption in the district might have been prevented if the sanitary authority had had greater power. I do hope that the right hon. Gentleman will convince himself of this, that it is just as necessary that Rural Sanitary Authorities should have those powers in matters of public health which are accorded to Urban Authorities. Then there is another matter which I think comes under this Vote, the Inspector of alkali works. The law at present is in a very anomalous condition. There are a number of manufactories in the country where the business comes under the designation of alkali works. These works carry on operations on a large scale, and are prevented, under the Act, from the discharge of noxious vapours; but, strange to say, in other works, where they use the products made in the

larger manufactories, the Act does not apply. In point of fact, there are smaller factories using the products of the larger works, and discharging fumes which do quite as much mischief as those which are evolved from alkali works. Oddly enough, if the Inspector can induce the owners of these works to consume these noxious gases instead of turning them out into the air, then the works come under the Act. Those who carry on their work in the most wasteful and harmful fashion are not watched, but as soon as a man ceases doing mischief to his neighbours then he comes under the watchful eye of the Local Government Board Inspector. If the right hon. Gentleman will consult with the officials of his Department, he will, I have no doubt, find that they are entirely at one with me in this matter, and he may be assured an amendment of the law will have the hearty co-operation of the manufacturers who do come under the Act. So far as the Sanitary Authorities who understand this matter—more especially in London, where the mischief is rife—are concerned, he may rely upon their support too. I hope the right hon. Gentleman will consider the representations made to him on this subject, and endeavour to put the law into a condition consistent with common sense.

*(4.45.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I wish to endorse the appeal of my hon. Friend the Member for Merionethshire (Mr. Ellis). The County Council are absolutely unanimous, the inhabitants are practically unanimous, and the only opposition proceeds from merely two or three persons. The present condition of Corwen is anything but satisfactory from a sanitary point of view, and I hope the President of the Local Board will allow free play to local feeling in these matters. In reference to the objection on the ground of population, I may mention that, comparatively speaking, a population of 1,400 is a fair average for a small town in the mountainous parts of Wales, and Corwen is an important centre for an increasing number of visitors, and during part of the year the residential population is largely augmented.

DR. TANNER (Cork Co., Mid): There is a matter to which I should like to call attention in relation to this Vote, and it comes to my notice from reading the Reports of the Inspectors of Factories furnished to the Home Office and laid before the House. The Report I refer to is that from Mr. Blenkinsop, the Inspector for the district of Beds, Hunts, and parts of Northamptonshire and Lincolnshire, as affecting the village of Raunds, in Northamptonshire, and anybody who reads this Report must allow it discloses a deplorable condition of sanitary affairs, demanding the instant attention of the Local Government Board. The village contains some 600 houses, it is 4½ miles from Thrapstone, and it appears that the sanitary requirements are extremely neglected. A brook runs through the village, and is nothing but a common sewer, and cows are led to it to drink. Lime-washing is unknown, closets, &c., and the workshops are in a filthy state. The Chairman of the Rural Sanitary Authority and the Medical Officer have been communicated with, and some of the principal owners have taken up the matter and raised a commotion, which Mr. Blenkinsop says may in time have an effect, but meantime many of the workshops and dwellings are quite unfit for occupation. Typhoid fever is rife, and there were 12 deaths from this cause last year, and there were 60 cases of scarlet fever. A few years ago there was an outbreak of diphtheria. It seems to be necessary there should be the scourge of an epidemic before local action is taken in these cases. It seems that the Rural Sanitary Authority have not the power to deal with the position properly, but this Report reveals a condition of things that requires that something should be done without further delay. When we take up Local Government Board Reports we find the baldest possible statements; but strong sidelights are thrown sometimes from other departmental reports, and this Report of Mr. Blenkinsop discloses the fact that Raunds is a most neglected place and a disgrace to Local Government.

*MR. CREMER: Perhaps the right hon. Gentleman will, in his reply, give the information I have asked for in relation to other Departments — the hours of attendance of clerks and officials of the Local Government Board.

MR. SINCLAIR (Falkirk, &c.): I merely wish to add a word in support of the claim of Corwen put forward by the hon. Member for Merionethshire to become an Urban Sanitary District. I do not know the place personally, but I learn from friends there that the change is much desired. On general principles we should recognise the desire of localities in this respect, and I think the experience we have had in Scotland justifies the extension of these powers to small communities.

*(4.54.) MR. RITCHIE: In regard to the question raised by the hon. Member for Northwich (Mr. Brunner), I have to say that the matter has been under our consideration, and a Bill to amend the Alkali Acts has been prepared, and I believe it would meet the views of the hon. Gentleman; but there has been no opportunity of introducing it this Session. I hope the Alkali Acts will be so extended as to embrace the offending factories mentioned by the hon. Member, with regard to which I am quite at one with him. As to the building powers of Rural Sanitary Authorities, they can be clothed with the same powers as Urban Authorities by simply passing a Resolution.

*MR. BRUNNER: Has the right hon. Gentleman never refused them?

*MR. RITCHIE: I do not say they have never been refused. If the hon. Member has any particular case in mind, and will give me the facts, I will have the case investigated. My disposition has invariably been to grant such powers whenever possible. I am familiar with the Report upon the village of Raunds, and I have given personal attention to the questions raised by it. I am prepared to admit that the case is a very bad one, without endorsing all that was said by the Inspector in the Report from which the hon. Member has quoted. That Report was not made to the Local Government Board.

DR. TANNER: A Local Government Board Inspector was sent down.

*MR. RITCHIE: No doubt; but the Report referred to was not made to the Local Government Board. But I am quite prepared to admit the circumstances are extremely unsatisfactory, and the hon. Member may rely that no efforts shall be spared to put matters in a more satisfactory condition. In regard to the brook, there is much to be said from the ratepayers' point of view. The brook is, however, a source of danger to health, and no considerations of the nature to which I have referred ought to be allowed to stand in the way of the discharge of a public duty in the interest of the health of the inhabitants. In answer to the question of the hon. Member for Shoreditch, the hours in the office of the Local Government Board are six for the upper division clerks and seven for the lower division; but those honrs are often exceeded, sometimes by many hours, when there is a pressure of business in the office. As to Corwen, I may point out that the Petition which was presented to the Local Government Board praying it not to confirm the Provisional Order was signed by 300 or 400 persons, and therefore the opposition was of a more important character than hon. Members appear to believe. The decision at which the Local Government Board arrived was one which appeared to us to be called for in the interest of the public. The decision we arrived at was regarded by us as being in the interests of the public health. The rateable value is extremely small. If sanitary matters continue to be dealt with by the Rural Sanitary Authority the charge will fall on the whole parish, whereas if a Local Board were constituted, the charge upon the ratepayers of the Local Board District would be about four times as heavy as it is now. In order to show what are the views of the Corwen people as to what is necessary, I may say that they contemplated that the total expenditure of the Urban Sanitary Authority would be something like £145 a year, and they proposed to give their medical officer £5 a year. I am sure that if the Rural Sanitary Authority do their duty the sanitary administration of the district will be much better carried out and will be a much less burden to the inhabitants than if an Urban Authority were constituted. I admit that the condition of things is exceedingly unsatisfactory. At the same time, since the attention of the Local Government Board was called to the matter, a considerable sum has been ex-

pended by the Rural Sanitary Authority, and if that authority does not do its duty the decision of the Local Government Board will be reviewed in a very short time.

(5.4.) MR. T. ELLIS: I have to thank the right hon. Gentleman for his reply. At the same time I would point out that the attitude of the Rural Sanitary Authority has been for years one of dogged opposition to the Inspectors of the Local Government Board. I admit that the rate suggested was a very low one, but the promoters of the Local Board scheme would naturally and without any dishonest intention minimise the amount, especially in view of the opposition with which they had to contend from two or three of the leading ratepayers. I can quite understand that by dint of great effort those two or three leading men were able to obtain signatures against the scheme, but I would point out that they only got two or three hundred to support them, whereas the population of the village is 1,400. I admit that the right hon. Gentleman has made a strong point with regard to the salary of the Medical Officer of Health. It may be very ridiculous to propose that such a small salary should be given to a Medical Officer of Health, but I am looking forward to a time, not very far distant, when these Sanitary Authorities will be able to group themselves into districts and to appoint one competent medical officer to take care of the group. I hope the right hon. Gentleman will be able again to look into these facts, and to lay some stress on the wishes of the vast majority of the people, of the Committee of the County Council, and of the County Council itself. I desire to give notice to the right hon. Gentleman that on the very first opportunity I shall again call attention to this matter.

Question put, and agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £8,944, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in due course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of the Commissioners in Lunacy in England."

Mr. Ritchie

(5.8.) DR. CLARK: I have to move a reduction of this Vote. There are six Lunacy Commissioners for England, each of whom is paid a salary of £1,500 a year, while there are two Lunacy Commissioners in Scotland, each at a salary of £1,000 a year. I do not wish to institute any unfavourable comparison between the six English and the two Scotch Commissioners, but anyone who knows anything about the matter will agree with me when I say that Sir Arthur Mitchell, one of the Scotch Commissioners, is known all over the world as one of the ablest men in this branch of medical work, whilst of the English Commissioners scarcely one is known out of England. I only intend to take three Divisions on these subjects, and I will enter my protest against the differences of salary on this one Vote instead of taking a large number of Divisions on the various items. The Scotch Commissioners are as able, or if not abler, than their English colleagues. The cost of living is as great in Scotland as in England, and, the taxation being higher in Scotland than it is here, I cannot see why if you can get men of this type to work for £1,000 a year in Scotland, you should pay £1,500 a year to the English Commissioners. I move the reduction, not from the ordinary economical motives, because I think £1,500 a year is little enough to pay men in this position, but as a protest against paying 50 per cent. less in Scotland than in England. I beg to move the reduction of the Vote by £3,000.

Motion made, and Question proposed, "That a sum, not exceeding £5,944, be granted for the said Service."—(*Dr. Clark.*)

(5.11.) DR. FARQUHARSON (Aberdeenshire, W.): This is one of the many cases in which Public Departments in Scotland, which are worked with far greater efficiency than corresponding Departments in England, are paid at a much lower rate. I wish to repeat the protest I have made on several occasions previously, as to the absurdly small amounts paid to the Lunacy Commissioners in Scotland as compared with that paid in England. There are three

Medical Commissioners and three Legal Commissioners in England. I have often asked what lawyers are wanted for on a Lunacy Commission. The chief business of the Commissioners is to find out whether alleged lunatics are improperly detained, and I think the presence of a lawyer on the Commission is entirely unnecessary. In Scotland the number of lunatic asylums is much smaller than in England, and they are worked with admirable efficiency. When it is remembered that we have on the Scotch Lunacy Commission such a man as Sir Arthur Mitchell it will be admitted that Scotland may well be admired and imitated by other countries. I am glad the point has been raised by my hon. Friend, whom I shall have much pleasure in following into the Division Lobby.

(5.15.) DR. TANNER: There can be no doubt that there is a great deal in the points raised by my hon. Friends. I do not know why lawyers should be placed on the Lunacy Commission. There is another point worth considering. There is exactly the same number of Commissioners now as there was about 10 years ago. There has been a large increase in lunacy of late years, and it is probable that additional Commissioners will have to be appointed. I hope that, in the event of new applications being made, those who are appointed will be of the medical profession. Perhaps one or two lawyers might be of use in giving legal advice on doubtful points, but I do not see why you should not have a larger proportion of medical men. It certainly is very unfair that the Scotch Commissioners, who do their work in an able manner, should receive so much lower salaries than the English Commissioners. I shall have very great pleasure in supporting my hon. Friends in the Lobby on this occasion.

MR. CALDWELL: I think we ought really to get an answer from the Government.

MR. JACKSON: This is not the first time the hon. Member has brought forward this question. The hon. Member's contention is that the salaries of the Scotch Commissioners are too low. At present, however, we are not on the Scotch Vote. He does not say that the English salaries are too high. If he institutes a comparison between the expenditure in the two countries, he will find that the figures are hopelessly against him, because the Scotch Vote amounts to £5,800, and the English Vote to £13,500. Taking into account the relative populations and the amount of work done in each case, it is clear that England has not as large a share of the total expenditure as Scotland.

(5.20.) DR. CLARK: Of course the right hon. Gentleman is aware that I am only bringing this subject forward by proposing the reduction of the English Vote. I know it is an absurd method of procedure, but it is the only one, as we are not able to move an increase of the Scotch Vote. I do not say the English Commissioners are overpaid; I think they are poorly paid, and they would do very much better if they were not State servants. The Scotch Commissioners are certainly very much underpaid. I am fighting for the principle that men who do exactly the same work, whether in Scotland or England, should get the same pay. According to the last Returns, Scotland pays to the Imperial Exchequer 2s. per head more than England, and very much more than Ireland. I shall take a Division for the purpose of protesting, as a Scotchman, against Scotch officials getting less than English officials.

DR. FARQUHARSON: Will the Secretary to the Home Office say what are really the functions of the Commission? There are no legal Commissioners in Scotland, and I would like to know what peculiarity there is in English lunacy which necessitates the presence of lawyers upon the Commission?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Commissioners are often called upon to advise the Government respecting the conclusion of contracts and the purchase of sites, and other questions of the same

nature, and it is therefore deemed advisable that lawyers should be on the Commission.

DR. FARQUHARSON: Is there not also a largely-paid Lunacy Board?

MR. STUART WORTLEY: The only paid members of the Board are three lawyers and three medical men. The other members of the Board are all laymen.

(5.23.) The Committee divided:—Ayes 67; Noes 136.—(Div. List, No. 350.)

Original Question again proposed.

(5.35.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It is proposed to proceed with Supply on Thursday, and I beg to give notice that I will move the suspension of the 12 o'clock Rule, when Supply is taken, for the remainder of the Session. There will be not only acquiescence in, but a desire for this course in many parts of the House, and I believe that the Motion will meet with general approval.

MR. E. ROBERTSON (Dundee): I wish to ask if the Government will renew the undertaking given last year, to oppose any measure that is objected to?

MR. GOSCHEN: I can assure the hon. Member that communications have been made from my own side of the House that the proposal of the Government will meet with general acquiescence and I wish the House distinctly to understand that the Government have no desire to coerce the House in the slightest degree, but think that they will be meeting the general desire in endeavouring to bring the Session to a speedy termination. I am not in a position to offer and pledge with regard to next Session, and in reply to the hon. Member (Mr. Robertson) I must point out that the suspension of the 12 o'clock Rule only applies to Supply.

MR. A. O'CONNOR (Donegal, E.): Nobody who is not an Irishman, certainly nobody above the Gangway belonging to any Party, has a right to speak on behalf of the Irish Members. Will the right hon. Gentleman give an assurance that next Session the Estimates shall be taken at an early period in the year, and that the Irish Votes now shall be taken at a reasonable hour?

It being after half past Five of the clock, the Chairman left the Chair to make his report to the House.

Resolutions to be reported To-morrow.

Committee also report Progress; to sit again To-morrow.

SUPPLY—REPORT.

Resolutions [14th July] reported [see page 1198.]

First Resolution agreed to.

2. "That a sum, not exceeding £111,213, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

(5.40.) MR. A. O'CONNOR (Donegal, E.): I wish to ask the right hon. Gentleman whether he would have any objection to lay on the Table of the House a Return showing the amount of money which, with the Bankrupt Estates Account, has been handed over to the Treasury, the amount of money which the Treasury has handed back again to the Bankrupt Estates Account, and what expenditure has been made from the same for the wants of the Exchequer, and showing also the amount in the hands of the Treasury?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I shall be extremely glad, and my right hon. Friend the Chancellor of the Exchequer will be extremely glad to give the fullest information that can be afforded with regard to this matter. If the hon. Member will put a notice on the Paper I will endeavour to meet his wishes.

MR. MUNRO FERGUSON (Leith, &c.): I wish to know whether anything has been done to carry out the recommendation of the Committee on Forestry?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The powers of the Department are limited to giving grants in aid of those Institutions which will aid themselves. We have had one or two applications for aid—one from the Scottish Agricultural Society, and we have given within the last two years a grant of £100 for Forestry to the Edinburgh University. We have now under consideration the giving of a grant to the Botanical Gardens in Edinburgh, and we have also undertaken, under certain conditions, to make grants to Chambers of Agriculture and Forestry for the establishment of schools.

MR. MUNRO FERGUSON: Will the £100 granted to Edinburgh be counted?

MR. CHAPLIN: Certainly.

*DR. FARQUHARSON (Aberdeenshire, W.): All I can say is that nothing has been done to carry out the recommendation, and we always have been told to wait until the Board of Agriculture was established. The millenium has arrived in the person of the right hon. Gentleman. Yet it is very unsatisfactory that nothing has been done to develop what could be made a very remunerative process of agricultural arboriculture.

Resolution agreed to.

Subsequent resolutions agreed to.

CONVEYANCING AND LAW OF PROPERTY ACT (1881) AMENDMENT BILL.

(No. 5.)

Considered in Committee.

(In the Committee.)

Clause 3.

(5.45.) Amendment proposed at the end of the Clause, to add the words—

"(2.) Provided that, in any case coming within the operation of this section, the lessor may require the assignee or under lessee, or other person to whom possession is given, at his own cost to produce to the lessor or his agent, and allow him to inspect or make a note of the deed of assignment or under lease, or other document transferring possession, and to pay a reasonable fee to the agent of the lessor for making the inspection and note, and also to execute and deliver to the lessor a deed of covenant on the part of such assignee, under lessee, or other person to pay the rent reserved by and to observe and perform the covenants and conditions of the lease, and any licence or consent given by the lessor shall in such case become void if such deed of assignment, under lease, or other document be not produced, or if a reasonable fee be not paid or tendered as aforesaid within six months from the date of such assignment, under lease, or other document, or if such deed of covenant be not executed and delivered to the lessor or his agent within the same time.

(3.) This section, and sub-section three of section two, are not to apply to any lease of,—

(a.) Agricultural land;

(b.) Mines or minerals;

(c.) A house used or intended to be used as a public house or beer shop;

(d.) A house let as a dwelling-house, with the use of any furniture, library, works of art, or other chattels not being in the nature of fixtures;

(e.) Any property with respect to which the personal qualifications of the tenant are of importance for the preservation of the value or character of the property."—(*Mr. Rentoul.*)

Question proposed, "That those words be there added."

MR. FLYNN (Cork, N.): Perhaps the hon. Member will give some explanation of the clause.

MR. RENTOUL: These Amendments have all been discussed, and agreed upon by those who are interested in the Bill.

MR. FLYNN: I move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Flynn.*)

SIR H. DAVEY (Stockton): I hope the hon. Member will not press his Motion. The Amendment simply contemplates the case of a man who has assigned his lease, and prevents engagements being entered into by the assignees.

MR. FLYNN: I am sorry to say that I cannot give way.

*MR. T. H. BOLTON (St. Pancras, N.): I may explain to the hon. Member that I accepted the modification which is proposed by the Amendment to meet the opposition of some hon. Members on the other side. I cannot hope to get the Bill through this Session unless I submit to these Amendments.

MR. SEXTON (Belfast, W.): If you had allowed me to give notice, perhaps

it would have prevented this Motion. We cannot allow the remnant of the Sitting to be taken up with this Bill.

Question put, and agreed to.

Committee report Progress, to sit again upon Friday.

MOVABLE DWELLINGS BILL.—(No. 222.)

Order for Second Reading read, and discharged.

Bill withdrawn.

TRUSTEE BILL [*Lords*].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 413.]

MORTMAIN AND CHARITABLE USES ACT AMENDMENT BILL [*Lords*].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 414.]

MOTIONS.

NATIONAL INSTITUTIONS (WALES).

On Motion of Mr. Alfred Thomas, Bill to appoint a Secretary for Wales; to constitute a Welsh Education Department; to make further provision for Local Government; and to create a National Council for Wales, ordered to be brought in by Mr. Alfred Thomas, Mr. Thomas Ellis, Mr. Bowen Rowlands, Mr. Randell, Mr. Pritchard Morgan, Mr. Lloyd-George, and Mr. Lloyd Morgan.

Bill presented, and read first time. [Bill 411.]

ASSISTANT COUNTY SURVEYORS (IRELAND) BILL.

On Motion of Mr. Lea, Bill to amend the Law with regard to Assistant County Surveyors (Ireland), ordered to be brought in by Mr. Lea, Mr. Johnston, and Mr. T. W. Russell.

Bill presented, and read first time. [Bill 412.]

IRISH SUPPLY.

On the Motion for Adjournment,

MR. SEXTON (Belfast, W.): I would remind the Chancellor of the Exchequer that during the eight months of the present Session not one single Irish Vote in Supply has been taken. The whole of the Irish business has been postponed till after the eleventh hour, notwithstanding the pledge of the First Lord of the Treasury last year, that the business of Supply should go forward regularly from the beginning to the end of the Session. In these circumstances it will be my duty to offer any resistance in my power to any attempt to take any Irish Vote whatever, except in the ordinary hours for the transaction of the business of the House.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I can assure the hon. Member that in proposing the suspension of the 12 o'clock Rule the Government by no means wish to force discussion on an important Vote after 12 o'clock, or at any unreasonable hour, but experience has shown that there is often a discussion on a small Vote, that might be concluded in a few minutes, that under the 12 o'clock Rule has to be renewed on the following day, contrary to the wishes of the Committee. The Irish Members are fully entitled to have their Votes discussed at a time when there will be a full attendance, and all reasonable facility will be offered.

MR. A. O'CONNOR (Donegal, E.): This is a very gracious concession, for which I suppose we ought to be grateful. For years we have seen Irish business postponed to the last days of the Session, and it makes me feel, what I have felt for years, that the Irishman who trusts to a British Minister's word is not fit for public life.

*SIR J. SWINBURNE (Staffordshire, Lichfield): Can the right hon Gentleman say when the Post Office Vote will be reached?

MR. GOSCHEN: It may be reached soon if hon. Members curtail their speeches.

MR. E. ROBERTSON (Dundee): I did not get a very distinct answer to the suggestion which I made a few minutes ago. There are scores of opposed Private Bills on the Paper, and what I wish is that hon. Members may not find it necessary to stay late if they receive an undertaking from the Government to oppose all Private Bills after 12 o'clock to which they have received notice of opposition.

MR. GOSCHEN: I will consider it.

House adjourned at one minute before Six o'clock.

HOUSE OF LORDS.

Thursday, 16th July, 1891.

FISHERIES BILL [H.L.].—(No. 17.)

Returned from the Commons agreed to, with an Amendment: The said Amendment considered (on motion), and agreed to.

CHILDREN'S LIFE INSURANCE BILL [H.L.].—(No. 16.)

Report from the Select Committee, That it is not expedient to proceed further with the Bill (with the Proceedings of the Committee), made, and ordered to lie on the Table; and to be printed (No. 236.): Minutes of Evidence laid upon the Table, and to be delivered out.

TOWN HOLDINGS.

Message to the House of Commons for copy of the report, &c., from the Select Committee.

ELEMENTARY EDUCATION BILL. (No. 224.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords: I have to bring before you for Second Reading this Bill, which comes to your Lordships from the House of Commons, having been favoured there by an almost unanimous vote, and having passed through very adequate discussion upon various points connected with it. It has been conducted, I am bound to say, with great judgment and ability by my right hon. Friend (Sir Wm. Hart Dyke). The Bill, which I have to present to your Lordships to-night is one that continues the tradition, if I may so say, of the educational system of this country. I am old enough to remember what I may be allowed to call the beginning of the State grants in aid of education in this country, when, with a somewhat parsimonious liberality, a gift of £30,000 was made. We thought then that was a great boon to the existing schools, as enabling them to meet with greater ease the different circumstances of the various places in which they were. The grant grew continuously up to the period when Mr. Forster brought in his Bill in 1870. At the time when the Bill was introduced, the voluntary schools in this country—for there were no State schools in the ordinary sense of the word—had increased to a very large extent; and your Lordships will remember that the system of education in this country up to that time, fostered as it was by the State, was a religious education. No school received a grant unless religious education was given in it; and, therefore, as the schools grew up under the fostering care of the State, there was a kind of covenant with the State that the religious instruction given in them should not be interfered with. Upon that principle Mr. Forster acted in 1870 to a certain extent, and, indeed, to a great extent; for though the Board schools received the advantage which was denied to the voluntary schools, still there was no interference with the religious instruction given in the voluntary schools. They were to receive the grants from Government equally with the Board schools. Many people thought that the effect of Mr. Forster's Act would be to sweep away the voluntary schools, but those schools braced themselves to meet the competition which they had to encounter, and instead of diminishing in numbers, they increased. Of course. the grant given at that time for buildings added to the advantages which they possessed for a short time, but that building grant did not last for long; and I think I could show your Lordships that no less than £6,000,000 have been advanced by the supporters of voluntary schools, without any grant whatever on the part of the Government to meet it. Now, the increase of schools was very rapid. In 1870 there were 8,281 voluntary schools; in 1889 that number had risen to 14,686; and in this year they are still rising up, and have got to the number of 14,743. They have covered a large portion of the country, and their scholars have increased in proportion. I need not go into all the figures on the subject, because your Lordships will find them in the Report of the Committee of Council, which is on your Lordships' Table, and is in print, though

I believe it has not yet been circulated among your Lordships; but at the same time I am entitled to quote from it as it is on the table, though I will not go into any long detailed statement of figures, but merely mention the principal points. The ordinary Education Grant will amount this year to £3,712,254, and, in addition to that, the new fee grant, which is to be added under this measure, will amount, in round numbers—not this year, because the whole of the year will not be used—but the fee grant which is about to be added will in the year amount to about £2,000,000. Therefore, that miserable £30,000 with which the State began to aid the schools has materially increased, until the amount practically at this moment granted for Elementary Education in this country in the public elementary schools has risen to an amount of nearly £8,000,000. Now, when we are dealing with figures of that sort, your Lordships will see how great the support is that has been given, whatever view people may take. The investments on behalf of the voluntary schools made by their supporters have been enormous both in buildings and in subscriptions. Their subscriptions, though to a certain extent they appear to have gone down in proportion to the average of scholars' attendance, have on the whole increased. They have this year risen by some £8,000, and they have reached an amount of £758,670, and the rates which have been raised in connection with the maintenance of the Board Schools have at the same time risen to £1,326,177. So that, although the voluntary schools covered the larger part of the country in comparison with the Board Schools, and in proportion to the number of scholars, yet the voluntary schools have received support amounting to £758,670 in contrast with the rates which the Board Schools are receiving at present to the amount of £1,326,177, and those rates are still constantly increasing. Your Lordships will observe that these rates of which I have spoken are for the maintenance of the schools only. They do not include the rates levied for the purpose of repaying interest on loans. The loans at this moment amount to something like £20,000,000, which have been raised by Board Schools, and therefore you have to take that in addition to those rates. The school pence during last year, that is up to 31st August, amounted to £1,940,546, and therefore you will observe that the new grant of which I have spoken, and which in round numbers we may call £2,000,000, will, in fact, merely cover the school pence already paid by parents. Now I know that this point has raised much controversy. I do not think it advisable that I should on this occasion enter very greatly into the controversy as to whether we are entering upon a new field in making this provision by the State. With regard to the payment by the State, it has been said that this policy will destroy parental responsibility; but I think people who argue it on that ground rather go by the question; for who has said at any time that the parents have ever paid anything like an amount in proportion to the cost of their children's education when you consider that we have been giving these grants one after another? You have not been destroying the parents' responsibility by your grants in the past, nor if you increase the grant to 10s. will you do it more so than before. If it comes to that, look at the way in which you interfere with parents' rights as well as their responsibilities already. If you take away the payment of the child's fee you do little for the parent in proportion to what he might get by putting the child to work. For the sake of the education of the child you prevent the parent from sending him to work, and by paying the child's school fees you will do little for the parent in comparison with what you would do if you allowed him to send the child into employment at an earlier age than is now permitted. In comparison with the few pence the parent would get, perhaps, 6d. or 9d. a day, and therefore you may fairly grant the parent in this way the alleviation which you bring to him in paying the child's fees. This will relieve the poorer parents from that which has been an undoubted degradation to them, namely, the necessity of their going before the Board of Guardians for the remission of their children's fees. They had to address themselves through the relieving officers or others to the guardians in order to obtain a remission of the payment of the

fees for their children, and they have to show that they are in a position which require poor relief to be given them. I may say this, with regard to this question, that it has never been one of principle; it is one of expediency; and if you argue it upon the question of expediency there is, no doubt, a great deal to be said both on one side and the other. There is a great deal to be said in favour of the maintenance of parents' responsibilities. There is a great deal of force in that argument. It has been said that it is expedient not to diminish the parents' liability, because you secure a better attendance if they are forced to pay for the education of their children, though upon that point there seems to be a great difficulty in coming to an adequate conclusion, because in those countries where the system of gratuitous education prevails, while in some cases the attendance is very bad, in others it is a great deal higher than with us. In France the attendance rises as high as 94 per cent. in the primary schools, showing that you can combine attendance to a very large extent with the remission of fees, which in other cases are paid. But, my Lords, it has been said that the Government have changed their policy and opinions on this question. This question of policy has never been raised before. As far as I am personally concerned, I am not aware that I have ever had occasion to argue it one way or the other. It must be remembered that this has never been a question of policy at all. There never has been, I suppose, a more determined opponent of the proposal that the State should pay school fees instead of the parents than the late Mr. Fawcett. Mrs. Fawcett has published his statements upon the point, endeavouring to show that he retained those opinions to the last, as I have no doubt he did. On the other hand, I have no doubt that my noble Friend, Lord Norton, will take exactly the opposite view to that of the Government. I happened to see a speech of the noble Lord's the other day, in which he was good enough to say, not on his own authority but on the authority of a very eminent gentleman who is not particularly friendly towards this Government, that the Government had received the Bill absolutely from Mr. Chamberlain; that it was not the Government's Bill at all, but Mr. Chamberlain's. All I can say is that if that is so Mr. Chamberlain must have been gifted with second sight, because so far from that being the truth, Mr. Chamberlain, as far as I know, never saw the Bill until immediately before it was introduced in the House of Commons, and he certainly never saw it in the course of its being matured in the office to which I have the honour to belong. But an Act was passed for this purpose in 1889 which very much changed the aspect of matters as regards this country, that is to say, concerning the grants which were made to Scotland in that year. That was insisted upon not by one party only in Scotland, but as far as I can recollect was supported by the whole of the Scottish Members in the House of Commons—both parties, with one accord, called upon the Government to hand those sums over for the purpose of freeing their schools. They did not absolutely free their schools, and in the towns of Glasgow, Aberdeen, and Govan, it is very remarkable to see how they have treated the matter. They have grouped their schools in these places. They have a certain number of fee-paid schools, as well as those entirely free. I do not go into other cases, but those three cases have been given into my hands, and therefore I know them. That fact shows that you can combine the two systems, that it is not necessary you should have absolutely free education because you give a grant for that purpose, but that you can treat it as my noble Friend has said on many occasions, not as free, but as assisted education. I think your Lordships will see that when the State adds to its other grants a gift of £2,000,000, which is to cover the school-pence which amount to some £940,000 odd, it would be impossible for such a grant to be made without adding that free places should be given so far as people require them. If the people do not require free places, and are ready to pay as they have paid hitherto, then there is no reason why they should not go on paying them. There are cases in England where there are no School Boards, and where, in order to keep out the School Boards, or for other reasons, the parents have practically supported

the schools altogether. Let me take the case of Stockport. The other day a gentleman, one of a deputation, spoke with great pride of Stockport, and said, "Our schools are almost supported voluntarily by subscriptions." We know it may be an admirable thing in itself, and the State does not support the schools altogether; but besides that the parents are not the people who were considered in the first instance, with regard to these voluntary schools; the persons considered were the managers who were responsible for the schools and those who were subscribers. The subscribers were justified in having their own management, because they largely subscribed to the schools. I need not quote to your Lordships from what is called the Report of the majority in the late Royal Commission — those who were mainly friends of the voluntary schools—but they expressed themselves in very strong language upon the subject, saying that the only justification for voluntary management was the payment of subscriptions on the part of those who conducted the management of the schools. Although I am not finding fault with what has been done in many cases with regard to the payment of the fees by parents, yet I think it is unfortunate that there should have been a severance in certain parts of the Kingdom from the course which has been generally adopted. In the South of England generally, I may say, the subscriptions have been proportionately large; in the North of England they have been comparatively very small. If you come to look at the fees which have been paid in different places you will find that in some cases in the Board schools there are high fees and low rates and in other cases there are low fees and high rates; and therefore in the same way with the voluntary schools, the voluntary schools in some cases have only small subscriptions, while in others they have very high ones, so that they may keep the fees low. Prebendary Row, whose name is so well-known in connection with the question of education, said the other day that in Somersetshire the subscription averages 12s. 6d. per head of the children. When you come to look at other places you will find that nothing of the sort is the case. The voluntary contributions, for instance, at Leeds amount to 4s. 2d., at Birkenhead to 2s. 5d. per head, and so on, showing, therefore, that the necessity must have been imposed upon them of charging the parents very high fees. Then, when the question of free education arises, some people say "You should have dealt with all these schools in their present conditions, and given more than the 10s. grant where it is required." Your Lordships will see what that is. Instead of taking the average throughout the whole country, which you may take in round numbers to be a little over 10s., therefore not meeting the case, but very near it, adding the fixed sum, you will find that if you take those schools, the 10s. will not meet their case. Take, for instance, the Wesleyan schools. The Wesleyan schools' charges are about 16s. 1d. per head, and sometimes their subscriptions have been as low as 2s. 7d. a year. So far as I have ascertained, the Wesleyans have boldly met the Bill which has been introduced. They have accepted the sum which the Government propose to give, and so far as I am concerned as the head of the Department I have not had one remonstrance from them on the ground that we have not nearly met the necessities of the case. They are prepared, of course, to endeavour to add whatever is necessary beyond the 10s. in such way as they can, whether by fees or by getting more subscriptions, or in some other way; but they are prepared to meet it. Now it has been said that it is impossible for them ever to compete with the Board schools. Of course the Board schools having the support of the rates to fall back upon, it is much more easy for them to set their schools free than it is for the voluntary schools. But there is another point which I desire to notice, which is, that the voluntary schools in this country have held their own against the Board schools in the generality of places throughout the country though charging very much higher fees than the Board schools. That shows there is a demand in this country for the kind of schools which are comprehended under the name of denominational schools. Whether it be purely a religious question, or to some extent a social question, it is undoubtedly the fact that the difference in those fees has been maintained. In London that is

very remarkable indeed. I will give your Lordships one or two instances. I will take one of the parishes, namely, Marylebone. In Marylebone the voluntary school fee averages in the year 14s. 2d., while the Board school fee averages 8s. 11d.; so that the voluntary schools are able to compete, even to that extent, with the Board schools, and are still filling their schools with scholars. I will not go through the list, as I could do, but that shows that this question is not one simply of fees, but of feeling and prejudices, if you please, among the people. That is the feeling which exists not only in this country, but in every part of the world. This Bill has been opposed by two kinds of opponents, with some of whom I have the greatest sympathy, with whom I have acted myself in former times, and with whom probably I should act again in my individual capacity in support of voluntary schools in this country; for I believe in them, and I have always supported them. I think, still, they have a great work to do, and that they will continue to do this work in the future in spite of this Bill, although some of them fear that it will be ruinous to the continuation of the voluntary schools. They take two objections—the religious objection, that freedom of religious teaching will be interfered with, and the further objection, that all freeing of schools inevitably tends to secularism, and that you must have secular schools if you have free education. As far as this Bill is concerned, it recognises the *status quo*. It recognises most distinctly the religious schools in every way, and no one can put his finger on any proposal of the Bill which affects the religious condition of the schools of this country. When there are 19,000 schools in this country, with a great number of departments, out of those 19,000 certainly 14,000, and probably nearer 15,000 or 16,000, will find it an advantage to come at once under the system provided for in this Bill, and to take the 10s. offered them, in order to free their schools. Your Lordships will see a vast area is covered by these schools, and that there is no reason whatever why the teaching in them should in any way be interfered with, or why there should be the slightest injury inflicted upon them which would put them down and reduce them to the level which some seem to desire. On the other hand, if you come to the other class of opposition, that is partly sectarian and partly secularist, and there were those in the other House who proposed that no grant should be given to any school which taught dogma. That, of course, would have been fatal to the Bill if it had been carried, but the proposal was not carried in the House of Commons. When I look back at what has taken place in the House of Commons, I cannot but be struck with the liberality and kindness of spirit shown by a large number of members who on former occasions have taken a more violent view of the conditions and position which voluntary schools occupy in this country, and recognise their being in occupation, not merely as a matter of right, but as a matter of feeling. Their existence depends upon the feeling in the country, and nothing but the support which they receive from that feeling, whatever you may do, can support them in the position they hold. Those persons who took this directly hostile view said further that this was a non-educational Bill, and there was no improvement in it. Quite true. Burdens were laid last year, in the new Code, upon the voluntary schools and other schools, and the grant now proposed is offered while taking into consideration the additional demands which were made in that Code. Many things were added in the Code because this Bill was in prospect, and we know that in some cases they were put in for a year or two, beforehand, in the hope that in the meantime the schools would be in a better position to meet those demands. Again, the point was put forward that if this grant were given the schools ought to be placed under popular control through the public bodies. Why? There is no change made, except in amount. The State has been freely giving its grants to the schools in which they were earned. There is no change made in the system of education. Why, then, should there be an attempt to take the management out of the hands of those who have hitherto conducted the schools efficiently. It is not a question whether the schools have money or not; the question is whether

they are efficient. The Inspectors are required to see that the schools are kept in an efficient state. If that efficiency is not maintained as described in the Code, then they do not come up to the standard; they will receive the warning which is provided in the Code, and after the lapse of a year or two, if they have not amended their manners, and arrived at a state of efficiency, they will be taken off, not only from the fee grant, but from the other grants which they have received from the State. That is my answer to those who have put forward that point, and I cannot help saying it seems rather curious to me to be bombarded on this matter of fees with such objections on both sides. I have observed that in some of the arguments people have said, and some of my own friends, supporters of the voluntary schools, have said they would be injured by it, and you are sure to have universal secular schools. On the other hand, I have seen statements by those who object to handing over the education of the country to those persons who they say ought not to be entrusted with the education of the people. These attacks are mutually destructive one of the other. With regard to this point, and this is a personal matter, not one upon which I am speaking for others, I observe under the Scotch Code a system which I have always wished existed in this country, because I think it would meet many cases of difficulty, and would get rid of a great deal of trouble. In Scotland, if there is the want of a school suited to the needs of the people, it can be supported by the grants and rates as well. Of course, I do not expect it here in England; there is too much prejudice on the subject; but it only shows you the necessity of finding some outlet for the religious instincts of the people. They will have these schools, and in the Scotch Code it is provided that no grant for a new school shall be made unless the Department shall after due inquiry be satisfied that no sufficient provision exists for the children for whom the school is intended, regard being had to the religious belief of the parents, or that it is otherwise specially required in the locality. We have nothing of that sort in this country, and I think in many cases it would be very desirable. Even in cases where no rates were given at all, yet grants ought to be given in such cases, and when you come to look at instances—I do not know whether many of your Lordships have looked at the different returns, and the comments upon them in his able paper by Mr. Fitch—but those will show you what is going on in other countries. In the United States what has been the course of events? There they have a secular system in force. You may say the secular system there is practically universal. What follows? Why, an outbreak of private schools, where religion is taught. Therefore you do get private religious schools; people will have them, even at their own cost, and you will find that complaints are made, and grow louder and louder, that they think it very unreasonable they should be called upon to pay rates for schools which they do not use, and at the same time have to support their own schools at their own expense. That has been the case in the United States. What is the case in France? In France you have a rigidly secular system established in the primary schools, and yet one-fifth of the schools in France have already fallen into the hands of private managers. In Paris two-fifths of the schools are religious schools or under religious management. So that you find you cannot control the religious feelings of men. You may lay down these rigid rules, and say that the children shall not receive this religious teaching, that religion shall not be taught in the schools; but people will have it, and I would say here if there were nothing but secular schools in this country it would be quite as justifiable for religious persons who would not use them to refuse to pay rates for those schools as it would have been for anybody to refuse to pay a church rate in former days. It is contrary to religious instinct that a man should be obliged to support a secular school not having any outlet for his own religious views. Some people think it a monstrous outrage that they should have to do that. In this country we have kept clear of some of these difficulties. We began by assisting religious education; it was then purely religious education. We have supported it as part of our system of education and there is that outlet, and though people often may feel hurt

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at having to support by voluntary subscriptions schools of their own, when they are paying into the general rates for schools to be maintained in rivalry with their own schools, they are bearing with it, and there is no effort made to relieve them in this Bill. That is a subject which should be carefully considered. While I am upon this point of rates, I may say this, that the Government has had its attention called to the vast raising of rates which is going on in various places throughout the country, and especially in London, and it seems to them unjust, as it affects these schools, it is, therefore, their intention to consider the question of rates at an early period next year, if possible, with the view of mitigating the burden which is laid upon these schools, and in the hope of doing justice to all concerned. It is a question of considerable complication, but all I can say at present is that the Government will be prepared to deal with it at an early date next year. By-the-by, I ought to have mentioned Canada. In Canada there is a variety of education in the different provinces. In some cases in Canada there is purely secular education, but in most of them there is what I may call practically free education. In the provinces of Quebec there are a number of Roman Catholic and Protestant schools which receive grants and there they act together. It is only in that way that Canada has been saved from what is going on in the United States and elsewhere, that is to say, that by using such a system they have provided an outlet for that religious feeling which is burning in people's minds, and which will in some way find the means of teaching children for whom they are responsible. I ought to say one word more on that subject. It seems to me that by not dealing with the matter as we do in England you are alienating from yourselves the very people who are best fitted to take part in the education of the children of this country. You get into a dry and hard system of carrying it on as a matter of duty, though, no doubt, it is done excellently, but you lose the enthusiasm and earnestness of volunteers who are willing to do it at great sacrifice of money and time, and here I cannot pass by what has been done by the clergy in this country. Many remarks have been made as if they did it for the purpose of putting their own schools in the first place. One of the first duties of a clergyman is to address himself, not to the adults only, but to the young. It is the necessity of the case, and if he neglects the young he neglects the congregation that is growing up under his hands, and he cannot expect afterwards that the adults will go with him. I believe that nothing has so much attached parents to the clergy as the interest taken by them in their children. If they do their duty and visit the schools themselves for the purpose of imparting religious education, and do not leave it merely to the masters, they find their reward in the affection and love which they receive from the parents of the children of whom they take care. When I hear people expressing themselves as despondent about those things, I confess I do feel very sorry to hear that anybody can be despondent about a matter which depends upon the earnestness of the religious feeling in the country. If it is not there; if it be true, that for the sake of a few pence, it will all pass away, we have nothing more to say; and it must then be admitted that there is no reality or earnestness in it; but if it be true that those who are conducting the schools, and also the parents, have been, and are prepared to pay much larger fees, and to sacrifice much more for the purpose of getting religious education for the children, Why are we to be despondent? Why is it all to come to an end, and why are you not to be in a position to meet this demand in future as in 1870? As you then brought forward your millions, bring forward your thousands and hundreds of thousands, if it be necessary in this case, to meet the difficulties with which no doubt certain weak schools will have to contend. The supposition of some people with regard to an Education Bill seems to be that it should be a Bill to provide for every school. Those who know of the difficulties with regard to the conduct of education in this country, know that that is an impossibility. In dealing with this matter, the Government have to deal with the whole country; you are obliged to take your average throughout the country, and the attacks

that have been made on the principle adopted in the Bill have been due to the fact that each person is apt to judge by the schools with which he is connected, and the difficulties that are met with in their management. We have to deal, I repeat, with the whole country, and we have endeavoured to deal with it, securing only that if people wish it they shall have free places. When people talk of the cost of the buildings and all these things, which have been thrown upon them of necessity, how absurd it seems. At this moment we have 4,500,000 using these schools, and there are seats for 5,500,000 in the schools; therefore, so far from there being necessity for building others to find free places, the question of free places is one which by arrangement and combination will be easily met. I know now, in the case of Liverpool especially, in the Roman Catholic schools there they have numbers of free places, and they have those free places where they are charging graduated fees from a penny up to fourpence, and even higher, in the same school, and yet they are able to conduct those schools with great advantage to the children and honour to themselves, because they are very efficient schools and receive the grants accordingly. This is not a new thing; it is actually going on now. People suppose that where the fees are paid they are always paid by the parents. I have spoken of parents applying to the guardians, but anybody in this country who knows anything about the matter must be aware that there are numbers of people who pay the fees for the parents to avoid the necessity of the parents having to go and show that they are unable to pay them. They naturally do not like to apply as paupers, and out of kindness, knowing the parents' difficulties, people pay these fees. If a man has one child it is a matter of comparative indifference to him that he has to pay a few pence; but if he has a number it may very well become a burden, and there are many persons assisted in that way whose children have practically free places in the schools. Now, my Lords, I do not know that I wish to dwell particularly upon any of the other subjects dealt with in the Bill before the House, because I do not suppose that they will be attacked in this place at all. This Bill has the peculiarity in this House of being a Bill which deals with money, and that fact alone, therefore, makes it extremely difficult to know how far your Lordships may go in amending it. I would rather leave this question to be dealt with in Committee, in order that we may judge and see what the proper mode of dealing with the Bill is. I can only say, if there are Amendments which seem to me practically to improve the Bill, to remove friction, and to give a better position to those now holding schools of their own, I shall be happy to consider them very carefully. What the Bill does is this: it gives a free grant of 10s. on the average attendance from the ages of 3 to 15. Not logical? Well, I do not know anything that is absolutely logical in these matters. We began, as the Bill was originally introduced, by fixing the ages at from 5 to 14, the compulsory limits, but on that point we gave way. We felt for the educational interests, and we were ready to allow charges for infants, and in that way to enable the schools to recoup the outlay upon the infants, and I felt sure that the concession was inevitable at the time the Bill was introduced. With regard to the point of the increase of age from 14 to 15, the Bill seems to me to have gone a little beyond what was necessary. The truth is, that by going up to 15 without any classification you will practically make your elementary schools schools of secondary education. What is laid down in the Code previously to this Bill was that children might stay at school after the age of 14 and receive the grants if they had not passed the 7th standard —that is to say, if their elementary education was not completed; but now you have opened a door so wide that it may be that what may be called "trigonometry children," as my noble Friend Lord Salisbury has called them, may be now the children who have really passed the 7th standard, and who will take advantage of the free grant, not for the purpose of elementary, but for the purpose of secondary education. Still, it is not a point on which I should wish to make a change though no doubt it involves a large sum; but I think the time is coming, and will come very soon, when you must make a more distinct declaration on this subject of what is meant by elementary

and secondary education. I hope that time will come, as it must come, when you will see the necessity of some alteration being made in the various grades of education. I only hope the connection between the schools will be maintained by picking out the best of the scholars to go to higher schools, and the rest will be allowed to go back to the ordinary work for which they will have been better fitted, no doubt, by the training which they have received. That, therefore, is the arrangement which we accept at present. Then as to the condition of the fee grant, there are mitigations in this way: that if there should be an unavoidable or unintentional failure in the observance of the conditions, we are not going to make that a reason for withdrawing the fee grants; but the reasonable excuses will be considered, so that people may not be placed in a difficulty for a failure which is not really their own fault. The practical result of this is, that when you come to the point that there is a demand for free education, then I find that controversy to a certain extent arises. Some of my friends seem to think that there is not sufficient protection for the voluntary schools to enable them to meet the deficiency before a School Board is brought into existence. Those who, like myself, have had an opportunity of working the Elementary Education Act, will know that that is not a matter which can be really disputed if it is fairly examined. But I leave that matter for explanation in Committtee (therefore I do not trouble your Lordships with a discussion upon it now), should there be any Amendment on the subject introduced. There is one other point on which I should like to say a few words. There seems to be a general impression among my friends that the School Boards will want to pounce down immediately and seize everything into their own hands. Will they? In the first place, there are in this country, I am happy to say, a good many School Boards which are working in perfect harmony with the managers of voluntary schools, and in that way immense good is done. They act in harmony together, and I believe you will find that in those cases arrangements will be made which will be perfectly satisfactory. But your Lordships will observe, in the Report which is coming before you, the enormous increase which is going on in the rates, and in the expenditure of Board Schools. The statement made by Sir Richard Temple, who is the financier of the School Board of London, is alarming, as it seems to me, and a warning to other places not to be too ready to embark in School Boards, for they must not suppose they can do so without burdening themselves with intolerable rates. From these figures, it seems that the expense of a child in a voluntary school is on the average £1 16s. 6d., while the average in the Board schools comes to about £2 5s.; but in the London Board schools it is £3 14s. 11d.; and I would venture to call your attention to something beyond even that. Sir Richard Temple tells us that the charge, taken as a whole, is higher still, and that the total amount now is £5 10s. Just observe, my Lords: £5 10s. per head, or a one shilling rate practically; it is really something above 11d. Sir Richard Temple says that it practically amounts to a 1s. rate from the expenses of collection; that is the amount of the rates in London. How much do you suppose they are per head? In Birmingham, where there are admirable schools, perfectly good schools conducted on a wonderfully efficient system, it is 18s. and something over, and there the fees are 5s. 6d. or 5s. 9d. in the Board schools, but here in London the rates are £1 15s. 8d. per head. Compare that with the cost of children in voluntary schools. I think it is an argument which I may fairly use to those who say Board schools will come at once into existence, that the people will look this gift-horse in the mouth before accepting it when they see that here in London the cost is still an increasing quantity. What is the result? Sir Richard Temple says there is no stopping it; that it will increase at the rate of £100,000 a year, and that he does not know what rates we may have to pay. Then he goes on to say that the standard of instruction is not rising, nor is there any countervailing advantage to make up for this enormous increase of expenditure. He says, "I have to submit that we are spending too much money and yet are failing to make the educational progress we ought."

I am not going to attack the London schools; they are, no doubt, excellent; but I do attack this system which has become almost intolerable; and I say the time is coming when it will be necessary to put some stop upon the amount which School Boards shall be allowed to expend upon any schools, and that if the schools receive grants from the State they shall have at least to conduct them on economical principles; for what can be done in one place can be done in another. It is very difficult to compare London with any other place, but I thought that West Ham, which is almost a part of London itself, would be a good place with which to compare it; and I find that in West Ham the expense is £2 0s. 0½d. per head, whereas, as I have said, in London the expense is £3 14s. 11d. I put this forward for the reason I have stated with the view of showing that there will not be too great a readiness to rush into School Boards and Board schools when people see this increase of expenditure which is so steadily going on in Board schools, as anybody can see from the Report to which I have referred, and which has been going on, no doubt, to a certain extent in the voluntary schools, but to so limited an degree that it is hardly worth noticing. I have then to ask your Lordships to allow this Bill to go through, and in advocating it I am not asking you in any way to depart from that system of education which has gone on in this country ever since 1870, and which I contend by keeping covenant with the religious schools has been going on ever since those schools have received Government grants. I do not despond like many of those who have spoken on the subject in regard to the ability of these schools to hold their own. When I see what has taken place in the United States where they are without any grants at all, where there are any number of private schools for the purpose of imparting religious education, when I see what I have told your Lordships of in France, with an impoverished Church, yet where people go to an enormous expense in maintaining schools for the purpose of imparting to the children religious education, I confess nothing will persuade me that England will be wanting in that duty which up to this time she has performed. When I remember what has taken place in the North of England, from where I come, and in different parts of Yorkshire and Lancashire, and even further south, I cannot believe that people will fail in such an emergency to find the means themselves of carrying on those schools which have been so well managed and so well attended hitherto. I believe they will continue not to grudge either time or money in supporting those schools which they wish to support. I know that there are some who say that we are maintaining a sectarian system of education. Yes, my Lords, we are. It is, if you please, a sectarian or denominational system and it has a conscience clause, and with regard to that clause, whatever may be said about these matters no one can put their hands upon any breach of it, either in the exhaustive inquiry by the late Royal Commission, or any of the attacks which have been made upon these schools, whether Church, or Wesleyan, or Roman Catholic schools. I say that there has not been brought home to any of them any breach of this Conscience Clause, which is the title deed of these schools. There has always been an opportunity for those who have strong feelings against Church schools, or Roman Catholic schools, or whatever they may be, of setting up their own schools. There never has been any difficulty put in their way of setting up schools for themselves. The British schools used to represent what was called non-sectarian education, but the British schools are apparently beginning to die out. For myself, I believe there is no such thing as non-sectarian religion. I can quite understand secularism pure and simple, and I can understand your leaving religion out altogether; but if you come to something which you call unsectarian, if you leave out one thing it offends me, and if you put in something else it offends others, and you must divide the two. The so-called non-sectarian education is what happens to be the religion of the teacher and what he chooses to teach the children under his care. I have detained your Lordships for a little time, but I trust not too long, on so important a measure as this, and I will now conclude by commending the Bill heartily to your

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Lordships, and ask you to give it a Second Reading.

*EARL SPENCER: I hope your Lordships will not think it presumptuous in me to rise to speak after the noble Viscount the Lord President of the Council, but there may, perhaps, be some little convenience in my taking an early opportunity of stating my views, and I may claim to have some right to speak in this matter, as I was the immediate predecessor of the noble Viscount when the Party to which I belong was in Office. First, then, may I be allowed to congratulate the noble Viscount of the extremely able, lucid, and detailed statement of the position as regards education in which we are now, and of the measure which he has now introduced. I may also be allowed to congratulate Her Majesty's Government in introducing a measure of this kind. The question of free education has been discussed for some time in this country. It was advocated by the leading Members of the Party to which I belong. It has been opposed by many Conservatives of the Party opposite; but I am bound also to admit that there were many of those who take an interest in education who found serious objections to the adoption of free education in the country. Whatever objections there may have been to this measure, I believe that they had disappeared before the practical nature of the circumstances. Now, my Lords, there is a rigid school of thought in this country, the members of which say that we ought to throw all the responsibilities of marriage upon the parent, however poor, and that education is just as much a part of those responsibilities as the providing of food, lodging, and clothing for the children; but, as I said before, the State is obliged to look to practical results, and when we had passed a compulsory attendance measure, it became a necessary corollary to that measure that a Free Education Bill should be passed. The noble Viscount has alluded to the difficulties which parents with large families have with regard to the payment of school fees. There were no doubt great difficulties in enforcing compulsory education, and magistrates felt that not only were parents deprived of the wages which their children would otherwise have earned, even if they were very small pittances, but that it was an additional hardship when, after the wages of the children had been taken away from the parents by the children being sent to school, they should be fined for neglect in carrying out the Act. In consequence of this, in many places the compulsory Clauses of the Education Acts have been nearly a dead letter. Other reasons exist, such as the trouble and difficulty of collecting the school fees, and the time and the cost which involved on parents when they had to go before a Board of Guardians to obtain remission of their fees. There were other reasons why the imposition of fees became a great difficulty, but after the grant in aid of free education in Scotland last year, it became impossible to maintain the old system. I heartily rejoice that Her Majesty's Government have introduced this measure. We are only following the precedent and custom in other countries where I believe free education has been given with great advantage. It has been given in America; it has been given in France; it has been given in Germany; and in these countries, not only has elementary education been given free, but higher education has been given free to children who have shown aptitude for learning. We are not progressing at such a rate as that, but I think it is essential in this country, after all that has taken place with regard to education, that there should be free education in public elementary schools throughout the country. Now, my Lords, I come to certain criticisms which I shall venture to make on the methods by which Her Majesty's Government carry out their proposal. I shall not criticise the amount of the grant, the payment of the 10s., and the mode of giving it, to which the noble Viscount has referred. There would, I think, have been great difficulty in carrying out any other arrangement; but I shall criticise the effect of that measure, and express my regret that this great grant was not accompanied by certain conditions. Some conditions seem to me essential if we wish to preserve sound principles of administration and of finance in this matter. Others are necessary to take advantage of this great opportunity for improving the education of the country. In order to make my meaning

clear, I shall refer your Lordships, as shortly as I can, to the present system of giving national grants for education in the country. I think the noble Viscount stated that the sums given to national education out of the public exchequer amounted last year, or very recently, to somewhere about £3,700,000. Now, my Lords, that is a gigantic sum, and I venture to say anyone who has studied the subject, or anyone who has been connected with the Education Department, that the system upon which this is administered is hardly to be defended. This enormous grant is administered from a central department under rules which necessarily go into the most minute details. It is given on average attendances of children, and one of the factors of the grant is as low as 6d. per child. When we have to administer such an enormous sum in such minute details, and from a central office, I think your Lordships will agree with me that it requires machinery of a superhuman excellence to carry it out. Originally these grants began with very humble figures. The noble Viscount stated that when the first grant was made, it amounted to only somewhere about £30,000 a year. Well, now it has grown to this gigantic sum, and I cannot help thinking that some very great change will shortly have to be made in order to decentralise the administration of these grants. There was some very interesting evidence given on this subject by one who knows it as intimately as anybody—unfortunately, we have not at the moment the benefit of his presence in this House—that is my noble Friend, Lord Lingen. He pointed out the extreme difficulty of continuing the present system. It seems to me that before long we must devise some method of throwing on local bodies the administration of this huge sum of money, and of taking away the absolute control of the details of that administration from the central office. This argument as to the necessity of some change in the central office, is immensely strengthened by the enormous grant now to be made towards education in the country. The noble Viscount has said that at the present moment the fees in the schools amount to £1,940,000, and therefore, the Government, in preparing this measure, have calculate that something like a sum roughly of £2,000,000 will be required in order to take the place of those fees. I should like to ask the question. Will the sum of £2,000,000 be sufficient to meet the requirements of the country? I cannot help thinking that even that sum will be found miserably inadequate for the purpose. With regard to this point I should like to allude to the result of free education in countries which we can compare with our own. I am not going to make a comparison with the United States because there they have, I believe, no compulsion; but in places where there has been compulsion and where there is free education you will find that the moment free education has been introduced, a very large increase in the attendance of the children has taken place. I have here some reports on the subject, and in one of the educational reports there are some very remarkable facts stated. For instance I see this, that in the Manchester Free School, which is a school for the children of very poor parents, the result is most remarkable. Out of every 100 children on the books 98 attend regularly, and of those who attend all but one in every 100 pass the examination. In London there is a free Jews' school for the children of very poor parents. There the attendance is 94 per cent., while the general average over all England is not 94, but only 77 per cent. That I think is strong evidence of the effect of free education in increasing the attendance of children at the schools; but we have even a better example, namely, that of Scotland, after what took place with regard to that country last year. Scotland has always been in advance of England in educational matters. In Scotland there has been twelve months' experience of such system of free education as far as compulsory standards are concerned. The reports of the school inspectors show what has been the result. The relief from the fees, says one of the inspectors, has already increased the attendance of young children at many of the schools, even to the extent of causing difficulty in the matter of accommodation. I could quote a number of inspectors' rereports to the same effect. Therefore I say again, it is certain, that the average attendance in schools would be enormously increased throughout England if

this Bill is passed. There is a statement in the Report showing what that may mean. I find in the Educational Report of 1890 the statement that with our present population there might be 5,180,000, or 1 in 5 on the registers, and 4,800,000 odd, or 1 in 6 in daily attendance. Returns show only 4,750,000 on the registers, and 3,680,000 in attendance. Therefore that gives a large margin out of which we may increase the attendance in the schools. Now, my Lords, it is dangerous to prophesy, and I do not wish to attempt to be a prophet, but I cannot help thinking that at least 1,000,000 more children will probably be found in average attendance in the schools after this free education measure has come into operation. But there is another very important point which shows that the grants will be largely increased. There is a clause in the Bill which materially affects the important question of the limits hitherto put upon the educational grants by the Code. Everybody knows of the famous 17s. 6d. limit. The 17s. 6d. limit, as your Lordships know, limits the grant to a school unless the local contributions, speaking generally and broadly, amount to more than that sum. These fees will be allowed to count for that; and as these fees will in a great many instances exceed the pence hitherto paid, there will be a very considerable number of schools throughout the country which will be able to claim a further grant beyond the 17s. 6d. For those two reasons—first, the effect of free seats on the number of attendances, and, secondly, the effect of this clause—I feel confident that the additional grant will be very much larger than £2,000,000. Are we then, my Lords, with this sum of something like £5,000,000 from the national exchequer, to maintain the old machinery at the Education Office which was only intended to administer, at the beginning, £30,000 a year? I feel sure that, sooner or later, that must be altered. Hitherto I have spoken merely of the general grants to all schools, but I will come to another point; and I hope the noble Viscount will not object to what I am going to say, though he may consider probably that I am approaching something which is more controversial in its nature. Grants are now made, as your Lordships all know, to Board schools and to voluntary schools. I need not refer to the number of Board schools. In regard to the Board schools there is no doubt a great amount of popular control; but, with regard to the voluntary schools, I think I can show that this enormous grant is made by Parliament without obtaining sufficient popular control throughout the country. The grants to voluntary schools throughout the country are, as your Lordships know, very large indeed. There are 14,743 voluntary schools, and of those I believe there are something like 11,888 Church schools. I doubt whether it is right now, even if it has been right to go on so long, to continue the enormous grant made to these voluntary schools without obtaining adequate popular control. I know that I shall be told that I am attacking the voluntary system, and that I am encouraging those who desire to banish religion from the schools. [The Marquess of SALISBURY: Hear, hear.] The noble Marquess cheers that, but I do not wish to see religion banished from the education of the children in this country, and I do not believe that the extension of the Board schools, if that is the result of this measure, would result in the destruction of religious education throughout the country. When we know the large number of Board schools which there are in the country, and when we find that there are only 49 of those, as I believe, which give only secular instruction, we must admit that the Board schools have certainly not encouraged secular instruction throughout the country. If we come to the question of dogma, I admit, of course, that is different; but I maintain it is undesirable and not at all right that upon the question of education children should be taught dogma in the day schools. It is far more desirable that dogma, when it is taught to the children, should be taught to them at their parents' homes and those admirable institutions the Sunday schools. Then, are these voluntary schools sectarian? We are told by the noble Viscount that there is a Conscience Clause. I shall not go into that. I am not going to argue that the Conscience Clause fails in its mission, or that it is abused largely in the schools, but I cannot help thinking that there are other matters which are of grave consideration in this matter of exclusive schools. Take

one matter alone. Take the matter of the masters and pupil teachers. I do not think I shall be contradicted when I say that there is hardly an instance of one Nonconformist who is a master or pupil teacher in Church schools in this country. That, I think, shows that these Church schools are of a very exclusive character, and it is clear, if I am right in what I state, that in every rural parish in this country where there is only one school, the child of a Dissenter is precluded from entering this very fine profession which now exists in the country, namely, the profession of teachers. I can hardly think that was ever intended—that it was ever contemplated or intended to give this enormous grant by the State, which will now be increased to a gigantic degree, as a kind of a concurrent endowment. Surely it is indefensible that a sum amounting to this enormous figure—hundreds of thousands—in fact, over a million, should be granted to denominational schools, and that the administration of those schools should be so exclusive. I argue, therefore, that both in the past, on account of the enormous sum to which this grant has from time to time been raised, and with much greater necessity in the future, it will be indispensable that some popular control should be given with regard to the schools. I quite admit the religious difficulty, but I do not understand that it is so great that it cannot be overcome. I quite admit that the conscientious objection of some denominations to certain school management is one which will have to be met. I cannot think that we can long continue this enormous State grant without a real check on the management of the schools. It has often been said that it would be monstrous to drive away the clergy in rural parishes from the management of the schools. I, for one, fully admit that the clergy of this country and the clergy of the Church of England have done enormous service in the past for education. They came forward and promoted education when education was not considered as essential as it is now; but because they did that I do not think it is necessary to act upon false principles at the present time, and because of what they have done in the past that without some popular control we should concede these large grants.

Earl Spencer

But I for one do not for a moment believe that if these School Boards were established in every parish—and I am not saying that there ought to be School Boards in every parish — the clergy would be ousted from their general influence in educational matters. They are experts in the matter—they know more about it than any of their neighbours; and on account of the advantages which that position gives them, I think it would be impossible, as it would be undesirable, to drive them away from the schools. Therefore, I think, the alarm which is constantly felt about displacing the clergy from their part in the management of the schools of this country is a false alarm. I hope it will disappear, and that the clergy will aid in bringing about this popular control, which I conceive in the future will be absolutely necessary for the proper administration of elementary education. There is one other matter to which I will refer. We keep referring to this large sum of £2,000,000, and, as I say, more being devoted to the promotion of popular education in the country, but I think it would be a very serious thing if we should lose this opportunity of increasing and raising the standard of education throughout the country. There are, I am quite certain, many places in the country where now the education is exceedingly faulty; nay, is extremely bad. Are we, in those cases, to put an actual profit in the managers' hands, and not demand that they should make their education better than it is at present? I feel very strongly on that point, and though it would be absurd for me to attempt to move Amendments in this House, I think this is one matter which may meet with some support in various quarters, and if no one else puts an Amendment down, I shall venture to put upon the Paper an Amendment on this subject when we get into Committee. My Lords, I have now made all the observations which I have thought it necessary to make. I hope the noble Viscount will not think I have made them in any Party spirit or in any bitterness. I, on the whole, most heartily support the general provisions of the measure; but I wish that, in passing this measure, the opportunity had been taken to put the administration of the grant on a better footing, and to secure greater advantages for education

itself. At the same time, I do not consider that these objections necessitate my opposing the Second Reading of the Bill, and I shall, therefore, very heartily support the noble Viscount in the Motion he has made.

*THE ARCHBISHOP OF CANTERBURY: My Lords, I shall not be expected to follow the noble Earl who has just sat down into those great fields into which he has opened the view. I shall not touch upon the vast financial arrangements necessary to carry out his ideal of the administration of this great fund. Neither is it necessary for me now to say a word upon the subject of the Conscience Clause. The noble Earl has given us no clue as to what scheme could be adopted by the Government in dispensing with that clause. It is enough for me to know at this moment, that the Church of England has, in the estimation of the whole people, a white record upon that subject. The noble Viscount who introduced the Bill has cleared out of the way of all Churchmen and supporters of voluntary schools, as well as out of the minds of other students of the subject, any imagination that this is a new principle introduced into the management of the education of the country. In candour I must admit that the principle is not novel. The scale of its application is wider, but it is the application of an old principle. Parents have been and are assisted in bearing the expense and burden of the education of their children to the extent, it would be no exaggeration to say, of three-fourths of the whole cost of it. It is therefore a question of degree, and in the first place it is matter of congratulation to all who support the cause of voluntary schools, that the pauperising of the poorer people inflicted upon them in relieving them of the other fourth, requiring them to appear before the Guardians is now to disappear. I thank the noble Viscount for removing so quietly in the course of the last few months, that we have scarcely realised it has gone, a great fear. For strong fear had possessed the minds of the managers of voluntary schools of every kind and description — almost till within a few weeks — that free education would bring with it that which the noble Earl on the opposite side of the House (Earl Spencer) would advocate, namely, a vast measure of popular control. I am persuaded that if that condition had been attached to the proposition of the Bill for free education it would have been impossible that the Bill could have been in its present position before your Lordships. It is a ground which would have been taken in the strongest way against the operation of the Bill. The Government have left the management of schools where it was. It is not that there is any desire in the Church to perpetuate the management of any schools solely by clergy, who have conducted it so far at great personal sacrifices. Very large numbers of the clergy, the great majority of them, would welcome a proposition which has been rejected with scorn by the enemies of the managers and supporters of voluntary schools, namely, that the parents of scholars should be joined with them by some method of election in the management of the schools. Large masses of churchmen would welcome that, but I will add that any proposal to associate parents on the Board of Management has been scornfully rejected, and the fact that the proposal has been so rejected is the best evidence we could have that the voluntary schools are now doing what the parents wish to be done. The proposal has been set aside on the ground that it would make no real change in the management of schools, and that things would go on much as they are now, if parents were associated in the management of the schools. I think we need not look any further for a clear indication that it is well enough known the present teaching meets with the approval of the parents. We have to thank the Government also for introducing provisions into the Bill to avert pecuniary loss to schools. Some schools will undoubtedly lose, and we shall have to consider what is to be done for them. But, upon the whole, the experts assure us that the small schools will gain, and as those small schools have been at all times the most difficult to maintain, it is no small matter that they will be put in a better position. There will be loss for the present undoubtedly in some counties where the subscriptions have not been so large as they have been in others, and it rests

with the managers so threatened in loss to save their own schools simply by doing, as I believe they will, that which Churchmen do in other parts of the country. For my own part I am glad that the age at which children are to have their fees paid is extended to the ages between 3 and 15. Keeping them for the year between 14 and 15 I look upon as a step to secondary schools, but keeping them up to the age of 14 is an immense gain to parents and children. We all know in regard to education of a higher kind that the last year or two which boys spend at school are more valuable than all the years before, and that the principal part of their earlier education is brought out in that last year or two. I am sure at the present moment, from inquiries I have made in elementary schools and from conversations with masters and managers, that not only is there a great loss in not using those most intelligent years after the highest standard is passed up to the age of 14, but that not having those years at school causes a great deal of previous education to be entirely wasted. Masters have told me that bright boys who have been at the head of their schools, and were able to pass the higher standard in the most brilliant way, would, after being sent to agricultural labour from 11 or 12 years of age to 14, be unable when they come up for Confirmation at the age of 14, having left at 11 or 12, to "read their verses round." The boys who now leave school at 11 or 12 come back again to their clergy, at the age of 14 in preparation for their Confirmation, and then it is really found that the earlier education which they have received up to the age of 11 or 12, has very nearly disappeared with the large proportion of those boys who spend the whole of their days from early morning until late evening in continuous labour and have no power to do anything afterwards but go to sleep. So that I think the increase in the age from 12 to 14 will be a very great boon indeed to education. The alteration which the Government have made in the Bill by permitting expressly the practice of grouping the schools together will prove a great relief. In some parts of the country—I may mention that there are such places in my own diocese—there had been already started before the beginning of this year a scheme for enabling such schools as were within reasonable distances of each other to co-operate, so that the subscriptions of one parish might be applicable in another. We were feeling our way to some system of that kind to remedy the mischiefs we perceived. I need scarcely say, then, that the introduction of a scheme of grouping throughout the whole of the country will meet with the most cordial welcome, for this arrangement will have the effect of keeping the smaller and poorer schools upon their feet. I venture to differ from the noble Earl in thinking that one excellent point in the Bill is that no precise objects have been mentioned for using a surplus. That there will be any profit to any of the schools I do not believe. Whatever is gained in that way will very shortly be absorbed in carrying out the provisions of the new Code of last year. Those provisions will make such great demands upon the resources of many schools that they cannot easily meet them. As your Lordships know, many managers of schools are in great anxiety on that particular subject, as to how they are to meet the great expense which the new Code would necessarily thrust upon them. There will be very little left after the provisions of the new Code are complied with, and next, after that, the plan of grouping so that the schools which receive more may help those which have not enough will quite do away with any margin of profit. I must myself express the great regret I felt that the Bill did not contain any provisions to meet a most monstrous injustice, namely, the present system of rating school buildings. People have felt great indignation that when they have been doing their utmost to maintain a school in efficiency, it was itself rated for the purpose of maintaining schools on the principles of teaching which they did not approve; but the noble Viscount has given us so important a promise that it is not necessary for me now to go further into that matter. We shall look with greatest interest and anxiety for the provisions by which this promise will be carried out. There is still another point of great importance which is not clearly dealt with by the Bill. It is of

first importance from our point of view, that the vast increase of voluntary schools effected by such great sacrifices in the past should not be checked, and I hope that before the House goes into Committee on the Bill it may be carefully examined whether as regards the expansion of their school system, especially in the matter of buildings, the voluntary schools will be allowed to carry on their work in the same free and unchecked manner in the future, wherever people are found willing to defray the necessary expenses, as has been the case in the past. Such expansion is vital. For many reasons I not only welcome the Bill as a whole, but I think the various provisions in it are extremely well considered. There is, in fact, only one matter which I desire to have cleared up, and that is as to the effect which it will have upon the voluntary schools in this matter of expansion. Like the noble Earl opposite (Earl Spencer) I do not desire either to be a prophet, but I have listened to a great many prophecies, and I find opinions and prophecies very evenly balanced. Statements of fact as to such questions even as the attendance in schools in America are not always consistent. Many who have gone into the subject here, maintain that the attendance will be much more regular on account of the education costing the parents nothing. On the other side it is argued that there will be increased indifference on the part of parents on the ground that they will not value that which costs them nothing. You must set one against the other. On one side we hear that the saved fee will only go to swell the Chancellor of the Exchequer's drink account, on the other hand we hear that it will be regarded as a relief from an immense burden. Some have prophesied that the effect of the measure will be anti-religious and anti-Christian, and others with equal force have maintained that it is a clerical measure from first to last. An able young manager of a school was showing me the other day that for his school it would be an El Dorado until the system of grouping was put forward. On the other side we have seen arguments in the public journals, to show that it will lead to an immediate deterioration even in the education given in the schools. When judgments take so large a range, and are so exceedingly opposed to one another, one generally finds that the truth lies somewhere between them. For my own part, I do not believe that any remarkable difference will be caused by this measure either in the attendance or the quality of instruction in these schools, but the balance, it appears to me, will be on the good side. When one is considering that subject, one ought in candour to remember that the Bill was not intended for either of those purposes. It was not a Bill intended to make attendance more regular, nor was it intended to enrich schools or to make them poorer. It was not a Bill intended to introduce any change in the actual education. Very decided improvements in that were made last year, and great demands also on the strength of the schools. It is for none of those objects that this Bill comes before your Lordships; but to make education free. I believe that in that object it will succeed without being attended by any of those evils which have been anticipated. The difficulties in front of it were great, but I believe they have been met. I believe it will be felt as a boon by those classes in the country in whom we are most deeply interested, and who are themselves most deeply interested in this question. Of all things which are incredible, I think this is the most incredible—that in any school a religious system of teaching worth anything will be affected by giving it and the rest of their education free to the children in those schools. Nor do I believe that any religious system which has a hold on the hearts of the people can ever be disturbed by making education free. As regards the schools in the North and throughout the whole country, I believe it will be found that the stability of the Church schools must depend upon the stability of the Churchmen themselves. When the noble Viscount bids us as Churchmen, Wesleyans as Wesleyans, Roman Catholics as Roman Catholics, and all religious teachers, not to be despondent, my answer to the noble Viscount is that I do not despond at all.

THE DUKE OF ARGYLL: My Lords, it seems to me that among the many sudden changes, like transformation scenes, which it has been our lot to

witness in recent years, this Bill is one of the most remarkable. It is all very well for the noble Viscount opposite, in the able speech which he made to-night, to minimise the change which this Bill effects. It is perfectly true, as has been said by him, and as has been said by the most reverend Prelate, who has just sat down, that it may be called at least a change in degree rather than principle. They say it has long been the policy of the State to assist parents in the education of their children, and that it is a very small and unimportant change to make education wholly eleemosynary. I venture to disagree with the noble Viscount and with the most reverend Prelate. Let us not be deceived in this matter. This Bill does make a great change in the educational system of England. It is well to observe how this change has come about. The noble Viscount gave an explanation of it which is the true one. It may be said, perhaps, that it is an accidental change; that it arose out of a financial question and nothing else. It is a very old part of our financial system—perhaps I ought not to say a very old one, but it is by no means a new policy to assess local rates from the Imperial Treasury; that has been done for many years; but it is a new thing, and wholly a new thing, to assign particular Imperial taxes to local bodies for local purposes. I am not quite sure who was the parent of this new invention. I believe that my right hon. Friend Mr. Gladstone—I think I am correct in saying this—first spoke of it, and that to a limited extent it was he who first adopted it; but it has been carried to a much further extent by the Chancellor of the Exchequer, and I think it very possible that on the principle and policy of what has been called devolution, the business of Parliament being congested, it is not impossible that that policy may be conducted further. Now, my Lords, observe the indirect effects of this new change in policy. The Probate Duty fell to be dealt with a year and a half ago. It is to be given over in certain proportions to England, Scotland, and Ireland. The general purpose of these devolutions has been to relieve the ratepayer, and I believe that the English Members were agreed that Probate Duty in England should be devoted to that purpose, as I think very sensibly. The Scotch Members took a different view of it. Without any consultation, as far as I know, with their constituents, certainly with no public discussion in Scotland, without, as far as I know, one single public meeting having been held in Scotland upon this question, without the Scotch public knowing one single thing about it, they agreed with certain Members of the Government, probably with my noble Friend opposite, the Secretary for Scotland, that the Probate Duty in Scotland should not be devoted to the relief of the ratepayers, but should, for the first time, be devoted to free, or, as I call it, eleemosynary education. The Government gave way on that point. It was pressed upon them not by their own Party alone, but by, I believe, the general concurrence of the Scotch Members. We must remember the position in which Members of Parliament are placed and were placed in this case. I have always been pleased when great sums of money are put into their hands to be devoted as they pleased for the interests of their constituents. We all know the old Benthamite doctrine of the greatest happiness of the greatest number. We know how that slides and glides down till it comes to be at last the granting of the biggest boon to the biggest number of electors. That is the great danger in the path along which we are going. I do not say the Scotch Members were wrong in this case, but we none of us heard any discussion of it, and the public heard of its being done without any public discussion whatever. So far as I have been able to judge, I should say not Conservatives only, but men of the most Radical opinions in Scotland were adverse to this change. I know such persons, friends of my own, of most advanced Liberal opinions, who disapproved of this change and who regret it still, but who held their peace because it was a foregone conclusion. This is not a satisfactory way of deciding great public questions involving great public issues. I do not think it is a matter of perfect indifference. I do not think it is a matter of very small importance that parents should be divorced altogether from all pecuniary responsibility for the education of their children. I think we ought

to have the courage of our opinion upon this point, if we have that opinion, and to avow what we think upon it. I believe it to be a good thing to maintain the responsibility, within limits, of parents for the education of their children. I think it an evil thing to divorce them altogether from that responsibility, and I for one repudiate altogether the only argument which I have heard used in support of this measure, that when you make education compulsory it is a corollary of that measure that you should make it gratuitous—that Parliament having imposed this duty upon parents must pay them to do it. Look to our system of sanitation. What is sanitation? For the sake of the public interest we compel men to do things which may have to be done at great cost to them, but because we make it compulsory upon a man to do this or that, we do not say that the State is to pay. There is no logic in that argument at all. And so with regard to food; if a parent does not feed his child he is guilty of murder. Feeding his child is compulsory upon him, but are we to undertake the duty of providing him with food? All these arguments from compulsion therefore fall to the ground. They are arguments intended to justify and excuse a foregone conclusion. I do not say there are not arguments in favour of free education. It has been advocated by eminent men, and we know it is the policy of some neighbouring countries. I am not quite sure that in all those countries it has been accompanied with good results. At all events that Scotch adoption of the idea of free education is the origin of this Bill. There is no doubt whatever of that. It was said that free education having been adopted for Scotland, it must be adopted for England too. We have not repealed the Union; we have not restored the Heptarchy. Principles which are adopted across the Tweed, and possibly across the Irish Channel, will cross those artificial boundaries; and I think the Government were right in assuming that that having been done which was done in Scotland it was necessary to solve the problem, for it is a problem, in England. Now, my Lords, I come to the Bill. The noble Marquess at the head of the Government has very frankly explained what his view and the view of the Government was in taking up this question—"The thing must be done, let us do it, because we can make the best of it upon what we think the right system of adoption." They thought it was better it should be done by them than by others not so friendly to the voluntary system. I think the Government were perfectly right in that view; and in that view alone I hail this measure as a most valuable one in the interest of the country. The great object of the Government, I apprehend, and it has been avowed by the noble Marquess, was to save the voluntary system. The noble Marquess shakes his head——

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): That is not the main object of the Bill. The main object of the Bill is to relieve parents.

THE DUKE OF ARGYLL: Perhaps the noble Marquess will allow me to distinguish between one object and another. One object was to prevent the application of this money by hands less friendly to those schools. I entirely agree with the Government in that view. I think that the preservation of the voluntary system of schools is most important in two respects. First, I think it saves the country great cost, and I, for one, am not indifferent to the accretions of outlay which are taking place as regards the general revenues of the country. I think that increase of outlay, that increase in our expenditure—sometimes out of all proportion to the certain income of the State—is assuming large dimensions. Everything is costing more. The Army and Navy every year cost more and more; the Civil Estimates are increasing in all respects, and I do not think it unimportant that so large a part of the education of this country should be borne by voluntary bodies. But, my Lords, there is another point on which I think the Government were right in introducing this Bill with the view of saving the voluntary bodies, and that is what was alluded to by the noble Viscount opposite in the first part of his speech in introducing the Bill, namely, the religious education of the people. Now, I am one of those who believe that the religious

education of the people cannot be otherwise safeguarded than by being committed to voluntary bodies and voluntary work. The noble Viscount spoke of cases in which the School Boards have acquired an unfriendly spirit towards religious teaching; but I have known a good many other cases in which they have not so acted; and what the Government have to consider is what is the gradual tendency of the system of these rate-aided schools. It may seem odd that a Scotchman should say he has no confidence in Board schools. You may say that all our schools are Board schools. Yes, my Lords, so they are in a sense, but in a sense only. The Scotch case is a very peculiar one. We have had in Scotland national education for 300 years—a system founded upon assessment, with compulsory building of schools, and compulsory payment of salaries to schoolmasters, and all the other paraphernalia of an educational system. But we have had, too, in combination with it, the Church system. The managers, although the schools were supported by assessment, were the minister, the Parochial Council of the minister, and the inheritors of the parish. They were bodies in whose hands the interests of religion and religious education were thoroughly safe. That system could not be surpassed for efficiency, for liberality, in any part of the world. It is the universal system in Scotland to practise education under what is called the Conscience Clause. There are parts of Scotland where the Reformation never reached; there are parts of the Highlands where to this day three-fourths of the population are Roman Catholics. The whole of the children in those parishes were admitted to the schools without the religious education being insisted upon; and I have seen evidence from the Roman Catholic priests themselves that in the Highlands, the Hebrides, and in other parts of Scotland this system existed, and they never had to complain of the system or of undue interference. That was not done on account of the law. On the contrary, the old Statutes made much against it. My Lords, I deeply regret the change of circumstances which arose lately among the Presbyterian bodies when the Parochial Councils were turned into elected Boards. It was the effect of use and wont; it was the effect of long-established use in a country whose institutions were worked in a public spirit, and you can well understand, therefore, that though in Scotland all our schools are Board schools, they are worked on principles of use and wont—that is to say, that the Church Catechism is taught at certain hours; but all children are invited to attend without being so taught if it is desired. Under the parochial system—of which every Scotchman may be justly proud, for it was devised by the Scotch reformers and has made Scotland what she is, and Scotchmen what they are all over the globe—not only was there a Conscience Clause, but there was ample provision for the free education of those too poor to pay, not by men having to appear before a Board and showing themselves to be paupers, but it was done by the managing Board. It was the practice in Scotland that the children of the poorest in the land should be taught in those schools free if it was necessary they should be taught free. Now I think, my Lords, that a great distinction is to be made between England and Scotland in this respect. In England you are starting with a new system—comparatively new—not older than some 30 or 40 years. Board schools are a new institution; you have no old traditions or institutions upon which you have to work; you have to trust to the electing ratepayers of the day for the system upon which you have to work. There is a movement in certain places—I will not give names lest my information be not accurate; but there are places I believe where the Board schools have eliminated religious instruction altogether, where the reading of the Bible is struck out altogether, and all reference to religion is avoided. That system once begun, by the force of logic, is only too likely to spread. Now I say emphatically that the spread of Board schools must tend in that direction. Though I do not dispute for one instant that there are old traditions and old habits which impede progress, I confess that, looking at what has occurred in Europe, and America also, I cannot doubt that the system of rate-paid schools and rate-paid management tends, and must tend, and must end, ultimately, in the total elimination of

religious instruction in the schools. I hardly know whether in this country we are fully aware what this so-called spirit of Liberalism really is all over the Continent of Europe, and certainly over a great part of America. Liberalism means, over a large part of Europe, hatred and defiance of all religious obligations. I was never so much struck with that as by a circumstance which happened to come under my own notice not long since at Cannes, in the South of France. Cannes was at that time visited by that celebrated man of whom your Lordships have heard, one of the greatest orators in my opinion—Père Hyacinth. He was delivering lectures there on Church and State. He took the theatre, and called a meeting there. The place was filled; it was not filled with the mob of Cannes—the lower classes; it was filled with gentlemen apparently. The bench before me was occupied by grey-haired men decorated with the Legion of Honour. Père Hyacinth had not spoken for two or three minutes when he had occasion to mention the Divine name. Incidentally, not controversially, he used the word "God," and at once there was a universal and tumultuous cry over the whole of that meeting—a cry of anger and indignation. "*Pas de religion!*" was the cry. I shall never forget the way in which Père Hyacinth met it. As I have said, he did not introduce the name of God controversially at all; no man could have feared that his religion or non-religion would be insulted; he mentioned it incidentally only in connection with the worship of the Temple. It was a mere incidental allusion; but the very reverence with which the word was pronounced touched the feelings of what is called French Liberalism, and they tried to shout him down. Advancing to the front of the platform with folded arms he said—

> "You call yourselves Freethinkers: I, too, am a Freethinker, and because I am a Freethinker I am a Christian also; and will you not bear the utterance of that word although you may be Freethinkers?"

By the force of his eloquence, and by the majesty—for no other word will suit it—of his presence he cowed that multitude, and was allowed to continue his oration to the end without further interruption. But, my Lords, the incident impressed me, in a way which I had never before experienced, with what Liberalism meant upon the Continent. I confess I cannot understand it. I can understand men having new difficulties about religion and about beliefs, but I cannot understand this want of toleration towards the bare idea that there is a Supreme Ruler over the world. I can understand men being Republicans or Democrats, or whatever they like upon those questions, but I cannot understand their believing that they are in this world not under the government of some Supreme Being; that we are not of a Kingdom which is an everlasting Kingdom, and which will endure for ever. For so it is. Now, is this spirit developing in England? I do not know, but I suspect it is; and I must say that although I should be the last to accuse my noble Friends behind me, because they are Liberals, of sharing in what I have called the Liberalism of the Continent—if I do not think it has yet invaded England to that extent, I am bound to say that the doctrines which I have heard laid down to-night by my noble Friend (Earl Spencer) tend a very long way to the exclusion of religion altogether. My noble Friend said he would abolish dogma altogether. What does my noble Friend mean by dogma? I should like to put him through a catechism upon that. Is the existence of God a dogma? Is the coming of the Lord a dogma? Is the corruption of mankind a dogma? Is whatever is taught in the name of Christianity anything else but a dogma? I hope my noble Friend will forgive me when I say that what he said to-night seemed to me to be simple nonsense. Talking of religion apart from dogma is pure nonsense. Religion is dogma, and I must say I honour highly the conduct of the Roman Catholic Church throughout the world, which has declared everywhere, even in our own colonies, under circumstances of great difficulty, that she refuses to submit to secular education. There is no man who disagrees more than I do with the system of the Roman Catholic Church and her doctrines, but I would infinitely rather have the people educated under them than I would have them educated under the system which has been advocated by the noble Earl, and the result of which I saw exempli-

fied at Cannes—infinitely rather. I am not sure that I should have spoken at all to-night if it had not been for the practical application which my noble Friend made of his strange doctrine as to the no-religion he would have taught to the young. He backed that up by saying that there ought to be popular control; that these voluntary schools ought to be under popular control. What was his excuse for that? He said the central Department in London cannot go on in this way, continuing to be responsible for the distribution of such enormous sums of money—and my noble Friends opposite will appreciate the importance of this Bill, which, to some extent, they minimise, when they see the argument which is raised by my noble Friend behind me (Earl Spencer) that this enormous sum given into the hands of voluntary bodies must be under popular control. What does my noble Friend mean by popular control? Does he mean the ratepayers? Has he great confidence in the distribution of public money by the ratepayers? Does he think it will be better than the distribution made by the two bodies who are interested in their several religious teachings, interested in their own congregations, and under the check of their own able officers, whose ability no one knows better than my noble Friend? I, for one, do not believe that control by the ratepayers would be better either as regards economy or efficiency. I do not think it would be specially economical, or that it would result in special efficiency. But what right have local bodies to the distribution of this fund? It does not come from them. Suppose the Wesleyan Body starts and builds at great expense a new chapel, and goes to heavy expense in building schools and engaging a staff of teachers. They teach their own dogmas. Why should they not? Why should the ratepayers of that district, who contribute nothing to that school, demand to have control over it? I cannot see why. Of course, there must be popular control in another sense; there must be popular control in the Government of the country, who represent the whole people of the country, and that control will be preserved in this Bill. That is the very control which my noble Friend wishes to throw over to the local bodies.

The Duke of Argyll

As ratepayers they contribute nothing; as taxpayers they contribute something towards the fee grant. Then let them act through Parliament, but do not let them claim a control over expenditure to which they have given no contribution. Now, my Lords, I have spoken of the inevitable tendency of all public rate-aided bodies to become secular. I know something of the work of the religious bodies in this country. Let me refer to a case which has happened in Australia, in the Colony of Victoria. I am informed that there is one of the Members of the Episcopal Bench, who I am sorry to see is not here to-night, the Bishop of Manchester, who is intimately acquainted with all the facts of the case; but, as they have been represented to me, they are most remarkable. It is now 20 years since public education was undertaken in the Colony of Victoria. It began with what my noble Friend chooses to call concurrent endowment—that is to say, public money was given to various denominational schools. That was the original intention of the Victorian Parliament. But how long did it last? It lasted but a very short time. Very soon the doctrine was laid down that the State had no religion, and the inference was drawn that the State should, therefore, teach no religion, and then the further inference, which is not logical, was drawn that the State should not tolerate the teaching of religion at all. And so it has now come about, as I am informed, that, in Victoria, not only is the Bible excluded, but even all literary extracts are excluded from the course of instruction in the schools which contain the name of God or have any reference to the Christian religion. That, my Lords, is the state of things in Victoria. I am sorry to say that both the Presbyterian and Episcopalian Churches have submitted to that system. They all regret it now. The Roman Catholic Church alone have the high honour and satisfaction of standing out and saying that they would not pull down in their schools the everlasting standard of the Cross. It is not improbable that the resistance of the Roman Catholic people may be the germ of a strong reaction against the pure secularism—I venture to call it pure paganism—of the education of that country. There is already, I am told, a

reaction against it there as there is in America. The Churches are beginning to awake to the duties and necessities of their position. They are insisting upon having schools of their own, and the time will come—and the noble Viscount has already hinted he thinks it may come soon in England—when the State will say it is not just to refuse them the public assistance which their schools deserve merely on account of the fact that they teach religion. And here, my Lords, I must say I cannot understand the position, not of the continental Liberalism, but of the modern Liberalism of England as it has been represented by my noble Friend to-night in demanding local control over these schools. I quite understand the doctrine—indeed to a large extent I should be willing to adopt it myself—that, the State being divided into so many religious sects, it is important for the State to teach religion. But what is the inevitable inference? The State may say, "We are very sorry; we cannot undertake religious education; but we are delighted that others should do so; let us pay for the secular education, and let others give the religious education." To say, as my noble Friend hinted, that that amounts to concurrent endowment, is, in my opinion, the grossest of all fallacies. If you refuse to pay for that which you say the State wants—good secular education—then pay whoever gives it; if you refuse to pay those who give it simply because they are connected with religion, you are boycotting and persecuting religion, and it is not liberality at all, but gross injustice. It is not liberal to be unjust towards the Churches. After all, they are teaching what no other bodies can supply. I wonder what kind of religion my noble Friend who objects to dogma would like to see taught in the schools? Something, I suppose, about the Infinite and the Absolute, and words to that effect, which belong to the secular philosophy of the day. I do not think he would find them of much use in the moral up-bringing of the young. Now, before I sit down I want to say a few words about the prospects of this Bill. I was delighted to hear the most rev. Prelate who presides over the Church of England showing the manly and cheerful spirit in which that Church is prepared to act. I think the Church of England has only to arouse herself to use her enormous strength in order to do what is required. I do not wish to address the clergy or the Right Rev. Bench opposite, because, from all I have heard and seen, the clergy of the Church of England have long awakened to their duty in this matter. They have borne the burden and heat of the day in maintaining these religious bodies and in keeping up these schools. I doubt whether they have been sufficiently supported by the laity. I doubt it very much, for from some cases which have come before me this week I find that though it has happened, perhaps, in some places that one or two rich proprietors will give £5 or £10 a year, the mass of Churchmen give nothing for their schools. This ought not to be. Do not let us be deceived by optimist views of this Bill. If it is worked in a cordial, generous, and kindly spirit, it will do well; but if our sails are left flapping in the wind it will do ill; the Board schools will make upon them, and secularism will be gradually introduced. I trust to see a great organisation on the part of the Church of England—some great central fund established, like that which exists in Scotland, for the support of all Free Church schools throughout the country. I am not a member of that Church myself, but still I honour it for what it is doing. I honour it for its historic position, for what it has done in the past, for what it is doing, and for what it is capable of doing. If it puts its shoulder to the wheel with the enormous wealth it possesses, with the energy with which it is now endowed, and with zeal for the great cause it has in hand, it will be able to do still more to promote, in its due proportion, the religious education of this great country.

LORD HERSCHELL: My Lords, but for the observations of the noble Duke who has just sat down, I should certainly not have troubled your Lordships with any remarks upon the present Bill; but those observations seem to me to be characterised by so much injustice to many of those who come within the scope of them that I feel it incumbent upon me, feeling that injustice—and feeling it very deeply—to offer my protest, at least, against it. The lan-

guage of the noble Duke obviously pointed to this conclusion: that those who have advocated some popular control as regards the schools of this country in connection with such a measure as this are actuated by indifference, to say the least of it, to religion and religious teaching; that their opposition to it is dictated by those motives, and that it is because this measure would be likely to be a bulwark of religious teaching that they are antagonistic to it. I believe nothing can be more absolutely unjust. I believe that there are multitudes of those who, rightly or wrongly, contend for the introduction of some popular control in relation to the schools of this country, who are as earnest in their religion and as anxious to see the religious education of this country put and kept upon a proper and satisfactory basis as the noble Duke himself can be; but if the noble Duke means that the only teaching which can be of any advantage is the teaching of the Church of England in Church of England schools or Roman Catholic teaching in Roman Catholic schools, from that I entirely differ. The noble Duke has bantered the noble Earl behind me (Earl Spencer) with reference to his expression as to the teaching of dogma, and he has said perfectly accurately that every truth you teach, or what you believe to be the truth, is of itself a dogma. But the expression has often been used in a much narrower sense than teaching those general principles about which all Christians would be agreed; it has been used to describe the particular teaching of a particular Church, which distinguishes it from other Churches. It was in that sense that the noble Earl behind me obviously used the language he did; and because he said that the teaching in schools would not be a teaching of dogma, to suggest that on that account he intended to indicate that he would wish the teaching that there is a God to be be abolished from the schools is obviously a misapprehension of what my noble Friend said, whether the particular expression he used was, or was not, open to criticism. I cannot help thinking that a great deal of the desire which has been expressed for some further control over the voluntary schools has arisen from the very language used by many of those who advocate the continuance of the voluntary system. When they talk about the Board schools as being "irreligious schools," when they talk about "hating the Board schools and all their works,"—and these are the general advocates and champions of the voluntary system—when we see the character of the teaching that is conveyed to the children in some of these schools—teaching certainly calculated to excite, not unnaturally, feelings the reverse of grateful in the minds of those whose religion is attacked, I think it is not very unnatural that there are many who think that teaching of that sort in schools which are the only schools to which their children can be sent, and which schools are supported wholly at the public expense, should indicate that there should be some means of local or popular control beyond what exists at present. That, I think, is the foundation of the demand for further control. The noble Duke himself is, no doubt, perfectly satisfied. I am not quite satisfied. If the noble Duke was a Nonconformist—I believe he is in this country—but if the noble Duke was a Nonconformist in the sense which he will perfectly understand, and if he found that the only school to which he could send his children was a school in which the other children were taught that if his children did not attend at the hours of religious teaching they and their parents were as bad as, or worse than, if they were without any religion at all; and if that school was supported almost entirely at the public expense, I do not think he would be satisfied with it. It is all very well to be satisfied when the religious teaching is one in which you are entirely in sympathy; but we have to consider whether it is an unnatural feeling, and whether it is a feeling which should not be consulted when objection is taken to the expense of schools which are the only possible schools, supported by the State, where the only religious teaching given is of that character. I do not say that is always or even generally the case in Church schools, but I do say that there have been instances of that kind, and a few such instances are quite enough to account for a great deal of the feeling of hostility and indignation and quite enough to account for anything being said about the necessity for

popular control or for anything of the kind. I believe that in the vast number of the Board schools there is religious teaching which is of a very efficient character. The noble Duke seemed to assume that religion is saved, and that secularism will be barred of any progress, if only you have religious education in the schools, such religious education as he is speaking of as conveyed to the children in Church schools. Is it so? I suppose what may be called the upper classes, the vast majority of them, have been at schools in which there has been this kind of teaching. Is it the case that in all our public schools there is so very great an absence of scepticism, and that those attending them are brought up in absolute faith even in the elements of Christianity? Surely that consideration may at least give rise to doubt whether religion can depend upon such teaching as is given in these schools, or that if that teaching were removed it would be the destruction of religion in this country. I believe unless your religion in this country rests upon some safer foundation than that, it rests upon a very insecure foundation altogether. I am not saying it would not be a good thing; but it seems to me a great exaggeration to represent that the only security against the spread of secularism in this country is the necessarily very limited amount of religious teaching which is conveyed in the day schools of the Church of England or of any other sect in this country.

THE DUKE OF ARGYLL: I beg the noble and learned Lord's pardon; I did not say the only security.

LORD HERSCHELL: Nor any very considerable security. I believe the religious teaching of the children by their parents at home is infinitely more likely to influence them in future life and to instil into them religious principles than all the teaching from the Catechism which they get in the day schools they attend. And, further than that, I believe that the religious teaching they get at home and at Sunday schools, where religious teaching is provided to an extent which is impossible in the day schools, is of infinitely greater importance to their future life and to the prospect of the maintenance of religious education in this country than is the religious teaching in the day schools. I do not say for a moment that I deprecate such teaching in the day schools day by day, but I do say it seems to me a greater security against the spread of secularism that the children should have that other religious teaching. My desire is to protest against the contemptuous language with regard to all teaching in day schools which is not religious teaching, which is not the teaching of the Church of England, but the ordinary teaching of the Board schools. I have myself heard over and over again the term "godless" applied to those schools which are so conducted; I have heard them referred to as having absolutely no religious teaching at all. I believe that is entirely unjust, and that in a great proportion of them there is religious teaching day by day which is just as likely to keep the Christian faith alive in the children, and as likely to influence their future lives as the "Church teaching," as it is called, in the Church schools. It was really to make that protest alone that I rose, because it did seem to me that the noble Duke's language was calculated to cast aspersions most unjust and most unfair upon many who I am sure are equally as earnest in seeing the teaching of the Christian faith maintained as the noble Duke himself.

*THE BISHOP OF LONDON: My Lords, I should be sorry to seem as if I joined in any general denunciation of Board schools, or of the work done in them, and I should feel that I was laying myself open to the same kind of reproof which the noble and learned Lord who has just sat down seems to me to deserve for speaking as he has done of the schools of the Church of England. I will not deny that there are a few schools belonging to the Church of England here and there where it is possible, though I do not know of such a case myself, that very controversial doctrines are taught, and where language is used about those who belong to other denominations which certainly ought not to be used; but I know this: that whenever such language has been used, and where books have been used which appear to have shown that kind of intolerant spirit, the supreme authorities of the Church have never hesitated to declare that it ought to be condemned, and they have condemned it. It was some two years ago I think that we heard a great deal

about a Catechism which has since been much attacked, and it was represented that that Catechism was used in a very intolerant manner, but the moment it was made known the Archbishop of Canterbury wrote to express his strong disapprobation of the use of such books, and I do not believe such a book is now used anywhere. It is impossible for any man to answer for the whole mass of the Church of England schools, which are more than 14,000 in number; but I may say that I did take great pains in the Education Committee to see whether I could find any clear instance of the disregard of the Conscience Clause or of its principles. We found instances of cases in which complaints were made that the parents were apathetic about the matter, and did not oppose the Church as they ought to have done. There was a great deal of the sort of spirit which is expressed by the "friend of humanity" in Canning's *Knife Grinder*. There was a great deal of the feeling, identical with the language employed there, "that the man whom no sense of wrong can rouse to vengeance is a very contemptible sort of man;" but we did not find that there was any charge of intolerance which could possibly be sustained against the Church of England in the working of her system. It is perfectly true that it is an evil and a mischief to introduce into the minds of young children, when you are educating them, any spirit of condemnation of their fellow-creatures, and still more of their fellow scholars; but, as far as I can judge, the amount of any such teaching in the Church of England schools is so exceedingly small that to reckon it as of any account in a discussion like this is altogether beside the mark. I do not mean to complain of the noble Lord opposite for protesting that those who are advocating local popular control over voluntary schools are not animated by any undue religious spirit. I have no doubt they are not, and I did not understand the noble Duke to imply that they were. What he meant, as I understood, was that he would warn those who felt in that way that this was the end of the line they were taking, and that, though they knew it not, they were in serious danger of ending at last in bringing the country to the neglect of religious education. It is a very different thing to say, on the one hand, that your course will end in this result, and, on the other, to say that you meant this result and desired it. The noble Duke, I am sure, never for a moment meant to impute that the noble Earl (Earl Spencer) had that desire, or to impute anything of the kind to those noble Lords who have spoken on the subject. I feel, nevertheless, that the maintenance of voluntary schools is a matter of the very greatest importance for religious education, and I say that, because I am convinced that the religious education of this country is, to a very large extent, maintained, even in the Board schools, by the existence of the voluntary schools. The thing which keeps up religious education in this country is public opinion. It is the general public opinion that education ought to be religious; and, in all cases, that which maintains public opinion is the existence of those men who feel strongly and deeply on the question concerned, and who are ready to make sacrifices for it. Sweep away the voluntary schools, and you sweep away all the testimony to the necessity of religious education, which supporters of these voluntary schools are now giving to the whole of the country by their action and by their self-sacrifice. If you sweep away the voluntary schools, you will no longer have any schools which on their very forefront bear the declaration that they exist for the purpose of giving religious education. The Board schools do excellent work of their own kind in secular teaching, and, as far as they go in religious teaching, they also do very good work; but in all those schools the religious education is necessarily a secondary thing. Her Majesty's Inspectors never look to it. It is left entirely to be given or not to be given, according to the judgment of those who are elected by the ratepayers. There is no distinct declaration there that religious education is the one thing that is to stand above everything else in the schools. With regard to the voluntary schools, we have always this to say: that if it were not for the purpose of giving a religious education they would absolutely cease to exist. How long would the subscribers go on maintaining them if once their religious character were to be sacrificed? The subscribers would say, and say justly, "If we can get the same

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thing done in the Board schools that is done in the voluntary schools, if religion is cut down in them to that level, then, of course, all reason for the voluntary schools is gone." If we have not the schools maintained upon a religious principle, they cannot be maintained at all. I know very well that it is constantly argued that these voluntary schools might possibly be so managed as that, instead of making so great a point of religious education, their instruction might be so modified, or ruled, or curtailed that everybody alike could be very well content to have the religious education which they gave. But there are two objections to it. You cannot get the great majority of religious teachers to teach under such conditions do what you will. They want to teach religion as they feel it on their own hearts, and if you say to them, "You shall not teach this doctrine because it is objected to, or that dogma because it is controverted," you will not get the religious teachers to come to you, and then your voluntary subscribers would at once say, "You have no reason to be here at all." I cannot conceal from myself that if the voluntary schools were to be very largely diminished in number, or very seriously hampered in doing the work they have to do, there will be a certain gain to the secularist movement in the schools, and that that gain will be a serious evil to this country. I can hardly imagine any man not feeling that in his heart, even though he may say, "I do not believe that result will follow." We have gone, my Lords, in this matter, perhaps rather far from the Bill. The noble Lord opposite suddenly took us to the distant future when everything is to be completely reorganised from top to bottom, and when, of course, these questions will have to be fought in a different manner from that in which they are fought now; and we should then have to be prepared for considering whether it was a very wise thing to give an enormous amount of Imperial money to popularly elected local bodies; because the experience of their history hitherto has shown that there is no extravagance like the extravagance of Local Boards when they have got possession of State money. As long as they are dealing with their own money they are tolerably restrained by the recollection that the ratepayers will think about it, and will have something to say about the matter, and may possibly call them to account for their extravagance; but when they have to deal with central money they always look upon it as a matter of pride if they can get more from their locality than other bodies can get from theirs. There is always competition who can get most, and if there is anything that will encourage extravagance more than this I should like to know what it is. These considerations do not belong to the present; they belong to the future we are promised will come about some few years hence, and I suppose we must be ready to fight that battle when the necessity comes. But the question is whether or not this Bill will do harm to the education of this country at this time, when it is relieving the parents from a large part of the duty and burden of educating their children? I confess I myself have looked with considerable apprehension at the proposal to relieve the parents of that burden to this extent. But I have always considered it is a question of degree. I feel that what the noble Viscount said is true; if you compel a man to send his child to school, you already compel him to bear a considerable burden, because the child, if left alone, would be contributing to a considerable extent to his own maintenance; to a certain extent he would be feeding himself; and if you compel the parent to send his child to school, you deprive that parent of money which the child would earn towards his own maintenance. It is not, therefore, as if you left the parent with nothing at all imposed upon him of his duty of looking to the interests of his own child. That is a very real sacrifice, and, therefore, I have never felt that this was a matter of principle at all; and the Government have taken it up in such a manner as to show that they really desire to make no breach in the present system. I am very grateful on the part of the Church of England for what has been done, in so far as it has been done, not only as far as the Church of England schools are concerned, but in regard to denominational schools generally. I still think some improvements may be made in it. I think there will be very sharp competition to be

faced by the managers of voluntary schools in Lancashire and Yorkshire, and perhaps in counties further to the South, and I think we ought to do all we can to prevent that competition becoming very mischievous. The noble Viscount told us that the result will be that the ratepayers will be very unwilling to saddle themselves with such rates. Upon that I must point out that I think it would have been better if Clause 6 had not been put in the bald form in which it stands now, because according to that clause, any School Board now existing may saddle the ratepayers with a heavy burden of rates, and without the consent of the ratepayers themselves make that burden permanent. A School Board is elected under totally different conditions, and is it to be allowed to say there shall be this heavy weight put upon the ratepayers of a district, and that the ratepayers in that district shall not be able to remove the Board? for that is the exact construction of the clause. I wish that the matter should be looked to in that respect. There are other minor matters which I will not go into now, but which I will submit to your Lordships in Committee, and I cannot help hoping the Government will consider them with some regard for the difficulties in which many of our schools are placed. I cannot help very much regretting that just at this time nothing should have been done to relieve the pressure which is put upon the voluntary schools by the enormous burden of the rates they have to pay for their buildings. Those rates are enough to crush a good many schools, and I am confident, if nothing is done, that in the East of London particularly, some of our very best schools will be closed on account of this clause alone. I regret also that no opportunity has been taken to alleviate what is felt as a very considerable grievance by many, namely, the pressure of the 17s. 6d. limit. Personally, I think that a limit is perfectly sound, and I am strongly in favour of a limit; but I think that an opportunity might have been taken now of increasing that limit, and so taking off the great pressure which will be put upon many voluntary schools by the present operation of the Bill. My Lords, I will not go further into these details. I do not know that I should have felt called upon to speak at so much length if the noble Lord (Lord Herschell) had not seemed to me to be very much more unjust to the Church schools than the noble Duke was to those with whom the noble and learned Lord usually acts.

LORD HERSCHELL: I beg the right reverend Prelate's pardon, I distinctly said I did not make any such charge against Church schools universally, or even generally, but I said I thought that in many cases there might be some very strong feeling of the kind, though I believed they were exceptional cases.

*THE MARQUESS OF RIPON: My Lords, having been one of those who had a principal part in the introduction of the Education Bill of 1870, perhaps your Lordships will allow me to say a few words before this debate is brought to a conclusion. I do not rise with the purpose of offering any opposition to this Bill being read a second time. For a considerable time I have been convinced that it had become necessary to adopt the principle of free education in our elementary schools, and I rejoice that Her Majesty's Government have now come to the same conclusion at which I arrived some years ago. But I desire to touch upon some of the points which have been mentioned in the debate. I regret that no attempt is made to deal in the Bill with the demand for some further supervision on the part of the public. My Lords, I am one of those who desire earnestly the maintenance of that variety of system which is to be found in our educational arrangements at present. As long as religious differences exist between us in this country, it is, as it seems to me, essential to the fair demands of justice, that you should provide, as far as possible, schools suitable to the requirements, and acceptable to the feelings, of the various classes of parents in this country. I believe, myself, that as regards religious instruction, the religious instruction given under the large majority of Board schools is quite acceptable to the majority of people of this country; but there are other persons to whom that instruction is not satisfactory, who desire to have their children brought up in schools in which a definite religious teaching is given, such as my noble Friend behind me (Earl Spencer) would call dogmatic religious instruction. I

should be one of those persons. I should not myself be satisfied to send my child to a Board School; I should desire to send him to a school in which the religious opinions which I myself hold would form part of the curriculum of the instruction. That is with many persons in this country an earnest and a conscientious opinion, and I say that in any system of education you are bound to provide, as far as you reasonably can, for meeting those views and those feelings on the part of parents. My Lords, in considering this question, whether in connection with the demand for free education, or whether in regard to the question of religious instruction, you must always take along with you the fact that the system established by the Act of 1870 was a compulsory system. I have always thought that the proposal to establish compulsory primary education in this country was a very bold step to take in 1870. I believed then, and I believe now, that it was a perfectly right proposal. I believe that it has been the means of promoting many of the most satisfactory results which have followed from the Act of 1870, and to which the noble Viscount opposite has alluded to-night. But when you compel parents to send their children to school, that does render it absolutely necessary that you should consider to the utmost of your power their opinions, their desires, and their conscientious feelings, and therefore I held then, and I hold still, that it is essential in a general educational system, under the circumstances of our time, that due provision should be made for the requirements of those parents, whether they be right or wrong, who desire that what has been called to-night "dogmatic instruction" should be given to their children. But, my Lords, there is one case, and it is a common one in this country, which, from this point of view, is exceedingly difficult to deal with, and that is the case of what I may call "one school districts." Where you have several schools in a district within convenient reach of the parents, schools belonging to different denominations — Board schools in the one case, schools belonging to the Church of England in another, schools suitable to Roman Catholics or Nonconformists in a third case—where you have those schools suitable for the requirements of parents of all classes, their choice is easily made. But where you have a different state of things, where you have only one school within reach of the parent, to which therefore the parent is required by law to send his children, then I say you put him in a position of considerable difficulty. No doubt in that case the system under which a choice of schools is afforded is the best, and I have always thought that the Education Department has acted in this matter in a somewhat narrow spirit. I have felt that they have not understood the intentions or the purpose of the Act of 1870, in not giving grants to new schools in these one-school districts, when they might have done so with perfect propriety very fairly under that Act. I have represented that fact to the noble Viscount opposite, and to other Lord Presidents at various times, but, I am sorry to say, without any success, and perhaps it may be because those representations, not from myself alone, but from many others, have not been attended to by the Department, that this demand for some more satisfactory mode of dealing with the case of single-school districts has become as strong as it is at the present time. My Lords, I do feel, I confess, that, in those districts, at all events, an increased amount of local public supervision is required. We have been told to-day that the conscience clause is perfectly satisfactory. I am old enough to recollect the days when the conscience clause was fiercely opposed by the Party opposite, and when it was very earnestly desired by Nonconformists. I believe that both parties have come to the conclusion that there was not much reality in that battle, and that the adoption of the conscience clause did no harm whatever to the schools of the Established Church, while, at the same time, it did not confer upon those who differ from that church the benefits which they anticipated. For, in the first place, it must always be remembered that when a parent withdraws his child from the religious instruction of the school under the conscience clause, the school becomes to him and his children a secular school and nothing else, because the children receive there no religious instruction at all; but beyond that, it is not only a question of the direct religious instruc-

tion which is given in the hours of religious teaching, it is a question of the general atmosphere of the school. Now what is it that those, who, like myself, desire religious instruction and religious schools, attach importance to? It is the fact that there is a religious atmosphere in the school. Take this case, and there are such cases: Suppose there was in any parish only one school, a public elementary school, to which, consequently, all parents were obliged to send their children. Supposing that school were a Roman Catholic school, would you think it possible to compel Protestant parents to send their children to that school? I think not. I think you would have the greatest difficulty in doing it. So, again, I think it is not right that you should compel or expect Roman Catholic parents to send their children to a Protestant school. Therefore, I do consider that in these single-school districts, some steps ought to be taken in the way of increased local control to mitigate the difficulty which arises under such a state of things. You cannot remove that difficulty altogether; you cannot place those districts in a perfectly equal position with districts where there are a variety of schools; but you can do something by establishing a local supervision of the school and of the proceedings which go on in it. I must also say I am greatly impressed by the conviction that now you have such a large additional sum of public money about to be given to denominational schools generally, you will not find it possible long to resist a demand in all those cases for some greater public supervision. I say that because it seems to me that the tendency of public feeling is undoubtedly in that direction; and, moreover, it is a very reasonable thing to say that where the largest part of the money expended in the school is derived from public sources, a greater amount of public supervision is required than would be necessary if that sum were much smaller, and, my Lords' continuous public supervision; and I do not see how that requirement can be adequately met by the general inspection of the Department. It must be local supervision. But I am not going to follow my noble Friend behind me into his dream of the future when the Education Department is, to a great extent, to cease to exist. My impression is that the Education Department is a very excellent Department. I was at it for several years, and I know the spirit in which men work in that Department. I believe it has done a great and valuable work in the country, and I should be sorry to see its supervision of Education in this country diminished. But you are taking the steps in this direction, not so much in elementary education as in other branches. You are handing these matters over to County Councils, and you will tend more and more in that direction, though I am not sure I shall live to see the system which my noble Friend has sketched out; and I am not sure that I altogether desire to live to see the establishment of that system. I prefer the term "denominational schools" to the term "voluntary schools," because to me their value is that they are denominational schools, and that they do teach definite religion. But I do not think that, provided you leave them free in their character as religious schools, provided you leave them free as to the religious instruction given in the hours set apart for that purpose, provided you leave them free as to the choice of the teachers, subject to such conditions of efficiency as exist at the present time, I do not think there would be really any cause to be afraid of such an extension of public supervision as I believe will inevitably come upon them before long. I am bound to say that in the interest of those schools I regret that this question has not been dealt with in this Bill. You are making an important change in our educational system, a wise and a right change as I think. You are going to lay out no less a sum than £2,000,000 a year for the purpose of giving free elementary education, and I do think it would have been a much better thing in the general interest of education in the country, and especially in the interests of denominational schools, if, at the same time and in the same manner, you had boldly and frankly dealt with this question of public supervision. You would then have placed this question upon a more settled basis; you would then have done a great deal to bringing to a conclusion these controversies which are in many respects so mischievous to the cause of Education in this country; and I believe you would have done a great deal to secure rather than weaken the

The Marquess of Ripon

position of the denominational schools among us. I shall very heartily say "content" to the Second Reading of this Bill, although I cannot regard it as a complete measure.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I have every reason to be satisfied with the course of the Debate which has taken place on this Bill. It is not my intention, inasmuch as the noble Lords opposite have expressed an intention of making some Amendments in Committee, to discuss the question arising on them now. But I will say, with regard to what the noble Marquess has just said as to making the Bill more satisfactory, and suggesting that we should have gone into the question of public control in this Bill, that that proposition gives me an idea of a length of Session which I am afraid to contemplate, and advice which would not be effective for the purpose of setting at rest the controversies to which the noble Marquess has referred. I will not detain your Lordships any longer, and I hope that the Second Reading of the Bill will now be granted.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Monday next.

PENAL SERVITUDE BILL (No. 205.)

SECOND READING.

Order of the Day for the House to be put into Committee, read.

*THE EARL OF KIMBERLEY said: My Lords, I was unable to make any remarks upon the Second Reading of this Bill, and I should not like it to pass without comment, though I shall not detain your Lordships long, particularly at this hour of the evening. The Bill is of great importance. The object of it is to remove the limitation of five years which now exists as regards sentences of penal servitude, and to enable sentences of three years to be imposed in future. That is contrary, no doubt, to the recommendations of a previous Commission on the subject, I think it was Lord Grey's Commission; and the opinion of that Commission was agreed in by a Commission, of which I had the honour to be the Chairman, which considered this question with regard to penal servitude. We were of opinion it was wise to maintain the five years' limit. I am bound, however, to say that there exists at present a gap between the term of two years' imprisonment, which is practically the maximum term of imprisonment that can be imposed, and the sentence of five years' penal servitude. I am not disposed to question the expediency of filling up that gap by enabling a sentence of three years' penal servitude to be imposed. What I wish to point out is—and perhaps the noble and learned Lord on the Woolsack who has charge of the Bill will kindly listen to this point which I am anxious to obtain information upon—that as those who know our system of penal servitude will be aware, under the regulations which exist at present, a prisoner who conducts himself to the satisfaction of the prison authorities, and earns a sufficient number of marks which is required for that purpose under the present system may, if he is a male prisoner, obtain a remission of one-fourth of the whole term of his sentence of penal servitude, and in the case of a female prisoner a remission may be made of one-third of the whole term. I wish to point out that the results of this regulation will be very singular, because in the case of the male prisoner his sentence might be reduced from 3 to 2¼ years, and the case of a female prisoner from 3 years to 2 years, which would be equivalent to a sentence of 2 years' imprisonment. I dare say this matter has been very carefully considered and adjusted, but it is necessary it should be considered, or else you would have a state of things which would not be conducive to good prison discipline. Hitherto a sentence of imprisonment has been different from one of penal servitude, because in sentences of penal servitude a portion of the sentence has been worked out during the latter part of it in outdoor employment, when the prisoner was suited to it, and such imprisonment was always considered to be less severe than confinement in a prison for two years, so that many people have considered that a two years' sentence is really in some respects a harder sentence upon a prisoner than a five years' sentence, except, of course, as regards its length. I wish to point out that it is very desirable we should have some further information as to the mode in which the Convict Commissioners and

the Home Office intend to deal with this problem, and I am very anxious that some information should be given to us upon the subject, because, from the nature of the case, we remain to a great extent ignorant of what is done in these matters. The whole system of our convict prisons is one of secrecy to a great extent, and I think the reports of the Convict Commissioners have not, for the last three or four years, given all the information which might have been given on the subject. I do not, of course, suspect the management of the Prison Commissioners in any way; on the contrary, I believe they discharge their duties excellently; but, at the same time, such a system as this is one on which the public should have more information. From time to time we have had inquiries into the system, and I believe inquiries will be made in future at intervals, but I think we ought to have more information than we have had, especially when a new system is about to be introduced. I am anxious there should be laid before the public a thorough explanation of what that system is to be, not only in the interests of the prisoners themselves, but it is quite necessary for the judges who have to pass sentences, because unless those who have to pass the sentences thoroughly understand what the sentences should be, it is quite clear they cannot apportion them with that judgment and discretion which is necessary in the administration of the law. That is all I wish to say in the main point, but there is one other point to which I wish to draw the noble and learned Lord's attention. In the 8th clause, I think it is, a power is given in future to photograph and measure all prisoners confined in gaol. Hitherto the law has only enabled you to photograph compulsorily prisoners who have been convicted of crime, but under this clause permission is given to photograph prisoners tried and untried. With regard to untried prisoners it is very desirable, no doubt, that you should have the power of sending those photographs round to the different gaols and authorities throughout the country, in order that you may have some light thrown upon the prisoner and his antecedents, but I cannot help thinking that it is rather hard upon prisoners who may be acquitted of the offences charged against them that these photographs should exist in the prisons, thus earmarking the prisoners as belonging to the criminal portion of society. Therefore I would suggest to the noble and learned Lord on the Woolsack, that he might consider whether some Amendment in the Standing Committee might not be desirable, dealing with cases where a prisoner is not found guilty of the offence charged, and providing that in those cases the photograph or negative should be destroyed. I believe that some assurance of that kind was given in the other House, but I am not certain, and at any rate I desire to point that out. No doubt the noble and learned Lord will be kind enough to consider the matter before the next stage of the Bill.

THE LORD CHANCELLOR: My Lords, I do not wonder that the noble Lord, who speaks with great authority on this subject, should require further information with regard to some of the clauses in the Bill. As he knows, the whole system of prison discipline has undergone great changes, and one conspicuous change is that all those sentences which did not make a man what is popularly called "a convict," and which were worked out in the Houses of Correction under the County Authorities or County Magistrates, were subject to no remission, and the persons imprisoned in such places were subjected to a discipline so rigid, and to some extent so severe, that it was sometimes difficult to justify the imposition of such discipline. The result was a sentence of imprisonment was so injurious to the prisoner in mind and body, that hardly any of the Judges would consent to inflict a sentence so severe. That was intelligible at one time in the state of things under the old system. All that has now passed away, because the complete management of the prisoners has passed into the hands of Her Majesty's Government, and the principle upon which that kind of punishment was administered is comparatively inappropriate now. The particular question which the noble Lord asks I think I can answer at once, namely, that it is contemplated that the system of remissions of portions of sentences by reason of good conduct should apply to the shorter terms of penal servitude. That is the

only alteration it is intended to make. For some reason or other, it is suggested that, in the alterations with regard to the shorter sentences of penal servitude, when this term of five years was imposed by Parliament there was some mistake made in drafting the Bill; certainly I do not think it was ever so intended. But, as a matter of fact, the difficulty was that the sentences of five years and seven years became so entangled, by the passing of the different Acts on the subject, that a great many of Her Majesty's Judges were of opinion—and the Home Office was memorialised on the subject from time to time—that, whereas a shorter sentence would have been appropriate in some cases, yet the gravity of the offence was too great for so short a sentence as they would have had to pass, but that the long sentence of penal servitude was too severe. That was the difficulty felt by the Judges, and it is to remedy that difficulty that the Bill has been introduced. I think, however, that should be further worked out, and I will take care that before the Bill leaves the House that explanation shall be given. I am not quite in accordance with the noble Earl upon the other provision which he refers to—the provision as to photographing prisoners. I am not quite certain that it is so much intended as a check upon as to some extent a security to the persons tried. My experience is that persons in custody have sometimes been recognised by prison warders and proved to have been convicted, whereas, as a matter of fact, they were acquitted, and there has been difficulty where no means of identification have been preserved. I can quite understand that it is very desirable that the photograph of a man should not be sent all over the country to proclaim that he has been tried and convicted of an offence when he has been acquitted, but, at the same time, I am not desirous of destroying it; even for his own sake it should be preserved. I understand that the view of the noble Earl is that no inquiry or annoyance should be inflicted on a prisoner under these circumstances, and with that I am quite in accord, but I am by no means certain that upon reflection the noble Earl will think that, supposing it be kept private, it is desirable that the photograph should be destroyed; however, that is a matter which shall be considered between now and the further stages of the Bill.

LORD HERSCHELL: Perhaps the noble and learned Lord will state whether some assurance was not given by the Home Secretary in the other house upon the point to which my noble Friend (the Earl of Kimberley) referred. I have a strong belief that I have read something of that kind myself.

House in Committee (according to order): Bill reported without Amendment; and re-committed to the Standing Committee.

RETURNING OFFICERS (SCOTLAND) BILL.—(No. 191.)

Amendments reported (according to order); and Bill to be read 3ª To-morrow.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 203.)

Read 3ª (according to order) with the Amendments, and passed, and returned to the Commons.

LUNACY BILL [H.L.].—(No. 216.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

RANGES BILL.—(No. 226.)

House in Committee (according to otder): Amendments made; and Bill re-committed to the Standing Committee; and to be printed as amended. (No. 238.)

CROFTERS' COMMON GRAZINGS (SCOTLAND BILL.—(No. 223.)

House in Committee (according to order): Bill reported without Amendment; and re-committed to the Standing Committee.

STAMP DUTIES BILL.—(No. 217.)
STAMP DUTIES MANAGEMENT BILL. (No. 218.)
CONSULAR SALARIES AND FEES BILL. (No. 221.)

House in Committee (according to order); Bills reported without Amend-

ment; Standing Committee negatived; and Bills to be read 3ª To-morrow.

House adjourned at five minutes before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16th July, 1891.

PRIVATE BUSINESS.

HANOVER CHAPEL BILL [LORDS]

(*by Order.*)

Order for resuming Adjourned Debate on Question [15th July],

"That it be an Instruction to the Committee to inquire whether the cost of building Hanover Chapel was not largely borne by the rates of the whole parish of St. George's, Hanover Square; and, if so, whether a portion of the surplus of the money to be derived from the sale of the chapel building and the site thereof, after providing for the erection of the new district church contemplated by the Bill, should not be used for the religious requirements of the whole parish; and, if so, the Committee may, if they think fit, be at liberty to insert provisions in the Bill to apply a portion of such surplus accordingly," — (*Mr. Thomas Henry Bolton,*)

—read, and discharged.

HANOVER CHAPEL BILL [LORDS].

Viscount Cranborne, Mr. Picton, and Mr. W. H. Cross nominated Members of the Committee, with Two Members to be added by the Committee of Selection.

Ordered, That the Committee on the Bill have leave to sit and proceed forthwith.—(*Mr. W. H. Cross.*)

PRIVATE BILLS.

Returns ordered—

"Of the number of Private Bills introduced and brought from the House of Lords, and of Acts passed in the Session of 1890-91, classed according to the following subjects: Railways, Tramways, Tramroads, Subways, Canals and Navigations, Roads and Bridges, Water, Gas and Water, Lighting and Improvement, Police and Sanitary Regulations, Corporations, &c. (not relating to Police and Sanitary Regulations or to Lighting and Improvement Schemes), Ports, Piers, Harbours, and Docks; Churches, Chapels, and Burying Grounds; Inclosure and Drainage; Estate; Divorce; and Miscellaneous."

"Of all the Private Bills, and Bills for confirming Provisional Orders, which, in the Session of 1890-91, have been treated as Opposed Bills; specifying those which have been classified in Groups by the Committee of Selection, or by the General Committee on Railway and Canal Bills; together with the names of the Selected Members who served on each Committee; the first and also the last day of the sitting of each Committee; the number of days on which each Committee sat; the number of days on which each Selected Member has served; the Bills the preambles of which were reported to have been proved; the Bills the preambles of which were reported to have been not proved; and in the case of Bills for confirming Provisional Orders, whether the Provisional Orders ought or ought not to be confirmed; the Bills referred back to the Committee of Selection, or to the General Committee on Railway and Canal Bills, as having become unopposed, and the Bills withdrawn, or not proceeded with by the parties."

"And, of all Private Bills which, in the Session of 1890-91, have been referred by the Committee of Selection, or by the General Committee on Railway and Canal Bills, to the Chairman of the Committee of Ways and Means, together with the names of the Members who served on each Committee; the number of days on which each Committee sat; and the number of days on which each Member attended (in continuation of Parliamentary Paper, No. 0.146, of Session 1890."—(*Sir Charles Forster.*)

SELECT COMMITTEES.

Return ordered—

"Of the number of Select Committees appointed in the Session of 1890-91, including the Standing Committees and the Court of Referees; the subjects of inquiry; the names of the Members appointed to serve on each, and of the Chairman of each; the number of days each Committee met, and the number of days each Member attended; the total expense of the attendance of Witnesses at each Select Committee, and the name of the Member who moved for such Committee; also, the total number of Members who served on Select Committees (in continuation of Parliamentary Paper, No. 0.147, of Session 1890)."—(*Sir Charles Forster.*)

SITTINGS OF THE HOUSE.

Return ordered—

"Of the number of days on which the House sat in the Session of 1890-91, stating, for each day the date of the month, and day of the week, the hour of the meeting, and the hour of adjournment; and the total number of hours occupied in the Sittings of the House, and the average time; and showing the number of hours on which the House sat each day, and the number of hours after midnight; and the number of entries in each day's Votes and Proceedings (in continuation of Parliamentary Paper, No. 0.148, of Session 1890)."—(*Sir Charles Forster.*)

PUBLIC BILLS.

Return ordered—

"Of the number of Public Bills distinguishing Government from other Bills, introduced into this House, or brought from the House of Lords, during the Session of 1890-91; showing the number which received the Royal Assent; the number which were passed by this House but not by the House of Lords; the number passed by the House of Lords but not by this House; and distinguishing the stages at which such Bills as did not receive the Royal Assent were dropped or postponed and rejected in either House of Parliament (in continuation of Parliamentary Paper, No. 0.149 of Session 1890)."—(*Sir Charles Forster.*)

PUBLIC PETITIONS.

Return ordered—

"Of the number of Public Petitions presented and printed in the Session of 1890-91; with the total number of Signatures in that year (in continuation of Parliamentary Paper, No. 0.150, of Session 1890)."—(*Sir Charles Forster.*)

DIVISIONS OF THE HOUSE.

Return ordered—

"Of the number of Divisions of the House in the Session of 1890-91; stating the subject of the Division, and the number of Members in the majority and minority, Tellers included; also the aggregate number in the House on each Division; distinguishing the Divisions on Public Business from Private; and also the number of Divisions before and after midnight (in continuation of Parliamentary Paper, No. 0.151, of Session 1890)."—(*Sir Charles Forster.*)

ARMY (COURTS-MARTIAL ON GAMBLING.)

Address for—

"Return, for the years 1888, 1889, and 1890, of the numbers of cases of Non-Commissioned Officers tried by Court-Martial, and punished, for allowing gambling or card playing to take place, or for participating in it, giving short particulars of each offence, the date, and the punishment inflicted."—(*Mr. Cobb.*)

RAILWAY SERVANTS (HOURS OF LABOUR) [INQUIRY NOT COMPLETED.]

Report from the Select Committee, with Minutes of Evidence, and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 342.]

QUESTIONS.

SALE OF OPIUM IN THE BROACH DISTRICT.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been drawn to the statement that the licence for the sale of opium in the district of Broach requires that the licensee shall sell not less than five and a half tons of the drug per annum, and that he was liable to a fine of Rs. 10,195 for selling one ton short of his guaranteed quantity, and whether the fine has been exacted; whether his attention has been drawn to the statement that the quantity of opium compelled to be sold to the population of Broach (326,930 people) equals 20,000,000 four-grain poisonous doses, and whether this statement is correct; whether it is the case that the opium licensee may open many shops under his one licence, and also that the Government takes power to compel him to open new shops; whether his attention has been drawn to the statement that in 16 districts of the Bombay Presidency the consumption of the drug has increased 30 per cent. in five years, and whether this statement is correct; whether his attention has been drawn to the statement in the *Moral and Material Progress of India*, that it is proposed to close the Cheendoo shops where prepared opium is smoked upon the premises, as the existence of these houses tends to spread the vice of opium smoking, which is of recent origin in most parts of the Punjab, and whether the Government will urge upon the Government of India the expediency of giving prompt effect to this proposal; whether the India Office has yet received a reply from the Government of Burma to the inquiry promised 26th February into the allegation that in the town of Akyab there are several hundreds of opium dens, though but one opium licence is reported as given out; and whether he will ask the Indian Government to withdraw provisions calculated to stimulate the consumption of opium in India, in accordance with the decision of the House of Commons?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The reply to the two paragraphs of the hon. Member's question is in the affirmative. The facts are correctly stated in the question, but I am not aware whether a four-grain dose is poisonous or not. As to the third paragraph, the licence holder cannot open more shops than are named in the licence, unless

required to do so by the collector. The reply to the fourth paragraph is that the information which the hon. Member has received is erroneous. The increase during the last four years has been about 7 per cent. Although there was a large increase in 1886-87 that increase was attributed mainly to the repression of smuggling. The answer to paragraph 5 is, that it appears from page 94 of the Report for 1889-90, presented in May last, that all the Chandoo shops in the Punjab have been closed, with satisfactory results. As to the 6th paragraph, the inquiry was sent to India in March, but no reply has yet been received. In reply to the last of the hon Member's questions, I have to say that it is not the policy of the Government of India to stimulate the consumption of opium or any other intoxicant.

COMPULSORY VACCINATION IN INDIA.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for India whether he can inform the House to what districts in India compulsory vaccination extends; whether Municipal Bodies and other Local Authorities have power to introduce compulsory vaccination within their respective local limits; whether the compulsory vaccination system is uniform, or whether its provisions differ in different localities; whether any provision exists in India analogous to Section 31 of the English Act of 1867 as regards cumulative penalties; and whether he can state the number of prosecutions and the number of imprisonments for non-vaccination that have taken place in recent years?

SIR J. GORST: Compulsory vaccination exists in four districts of Bengal, and 183 municipal cities and towns in different Provinces of India. The reply to the second question is that the extension of the compulsory law is effected by the local government, but generally on the initiative of the Municipal or other Local Authority. The provisions vary slightly in different Provinces. Provisions exist in the Indian Law analogous to those enhancing punishments under the English Law. The Secretary of State cannot state the number of prosecutions, but, so far as he is aware, there have been no imprisonments.

INDIAN NATIVE ENGINEERS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Under Secretary of State for India whether the Government of Bombay has refused to allow native applicants for certificates as engineers on board of local coasting steamers to be examined in their own language; whether the coasting vessels referred to are commanded and manned wholly by natives; whether in other countries candidates for such certificates are examined in their mother tongue; and whether he will cause inquiries to be addressed to the Government of Bombay on the subject?

SIR J. GORST: I must ask the hon. Member to postpone the question for the present.

SALE OF GANJA.

MR. M. STEWART (Kirkcudbright): I beg to ask the Under Secretary of State for India whether his attention has been called to the statement in the *Allahabad Pioneer*, of the 10th of May last, that ganja, "which is grown, sold, and excised under much the same conditions as opium," is far more harmful than opium, and that "the lunatic asylums of India are filled with ganja smokers;" whether he is aware that the possession and sale of ganja has been prohibited for many years past in Lower Burma, and that the exclusion of the drug was stated in the Excise Report of that Province for 1881-2 to have been "of immense benefit to the people;" and whether he will call the attention of the Government of India to the desirability of extending the same prohibition to the other Provinces of British India?

SIR J. GORST: The Secretary of State has seen the statement mentioned in the first paragraph of the question about the sale of ganja. The facts are as stated as to the exclusion of ganja from Burma. The answer to the third paragraph is that in Bengal—the Province where ganja is principally consumed—the price of duty-paid ganja has been greatly increased during recent years, making its consumption more expensive. The Secretary of State will inquire whether the Government of India will propose to take further steps to limit the consumption.

THE ANTI-OPIUM SOCIETY.

MR. M. STEWART: I beg to ask the Under Secretary of State for India whether he has yet received any answer from the Government of India in regard to the Memorial presented to Lord Cross from the Anti-Opium Society on 31st July, 1890?

SIR J. GORST: No answer has yet been received, but a reminder has been sent to the Government of India, in accordance with the promise I made to the hon. Member on the 29th of May.

OPIUM LICENCES.

SIR J. KENNAWAY (Devon, Honiton): I beg to ask the First Lord of the Treasury whether his attention has been called to the issue of licences for the sale of opium by the Government of Bombay, and especially to the provision requiring a certain amount to be sold by the licensee under heavy penalties; whether, considering the assurance given by him that the policy of the Indian Government was to diminish the cultivation and consumption of the drug, he will cause representations to be made to the Government of Bombay, so that no such provisions should be inserted in future licences?

SIR J. GORST: The Secretary of State is aware that licensed opium vendors in Bombay engage to sell a specified quantity of licit opium. A table showing the minimum for each district is given at page 10 of the Bombay Opium Report. The Revenue officers of the Bombay Government believe that the existence of this minimum tends to prevent licensed vendors from dealing in opium illegally smuggled from the adjoining Native States. The Bombay Government will be invited to consider whether the existence of the minimum tends to encourage an increased consumption in British districts, and if it does so tend they will doubtless alter the system.

POSTAGE OF FRIENDLY SOCIETY CIRCULARS.

MR COGHILL (Newcastle-under-Lyme): I beg to ask the Postmaster General whether he will allow the various Friendly Societies of the United Kingdom the same facilities for sending notices of arrears of subscriptions through the post, at the ½d. rate of postage, as are now given to tradesmen in issuing their quarterly or other statement of accounts?

MR. FURNESS (Hartlepool): I beg also to ask the Postmaster General what has been the result of his correspondence with the Treasury, intimated as long ago as 30th June of last year, regarding the postage on circulars of Friendly Societies reminding members of arrears of subscriptions; and whether it has been determined to include such circulars in the ½d. postage?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member for Boston on Tuesday last, as also on many other previous occasions during the present Session to other hon. Members, I have answered this question by pointing out that one of the principal objects of the Post Office Bill, which is on the Paper for to-night, and which has already passed through Committee, is to afford to the Friendly Societies the relief suggested. It must, however, depend on the co-operation of hon. Members interested in the subject if this Bill can be passed before the Prorogation.

TELEGRAPHS.

MR. BARCLAY (Forfarshire): I beg to ask the Postmaster General if, with the object of encouraging a reasonable development of the telegraph system, he will consider whether the conditions of guarantee now demanded for the extension of wires might with advantage to the public and the postal revenue be to some extent reduced?

*MR. RAIKES: I had already considered the subject to which the hon. Member calls attention, and I had made certain proposals to the Treasury. Those proposals are now under consideration. The hon. Member may have obtained that by an Amendment in the Post Office Bill, of which I have given notice. Power will be given to Local Authorities to guarantee the cost of these extensions.

ENLISTMENTS IN THE HIGHLANDS AND ISLANDS OF SCOTLAND.

SIR J. BAIN (Whitehaven): I beg to ask the Secretary of State for War whether the number of enlistments annually in the Western Highlands and

Islands of Scotland have shown a falling off; and if he can state approximately the figures for last year as compared with 10 years ago; and whether, having regard to the over-populated condition and consequent privations in these districts, he can see his way to offer any special inducements for enlistment in the Army?

MR. ANGUS SUTHERLAND (Sutherlandshire): Is the assumption in the second paragraph of the question correct, that these districts are over-populated? Is it not notoriously the fact that they are the most under-populated districts in the whole of Great Britain?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I cannot answer the question of the hon. Member (Mr. A. Sutherland) without making further inquiry. With regard to the question on the Paper, I may say that, as compared with the number of recruits raised 10 years ago, recruiting in Scotland north of Inverness-shire has not decreased. The actual numbers were 83 in 1881, and 89 in 1890, but it is quite true that in the intervening years the numbers were considerably higher. Every effort has been made to foster recruiting in the North of Scotland, but there does not appear to be much inclination there towards military service. The question of what inducements can be offered will, no doubt, be considered by the Committee now sitting on the terms of service.

MR. ANGUS SUTHERLAND: Is it not the fact that the Army has become unpopular in the Highlands and Islands because troops have been used for evictions and the extortion of rents?

*MR. E. STANHOPE: No, Sir; certainly not. As far as I am aware, the force generally employed has been of the Royal Marines. But in any case, the Army would do its duty if required.

PRISON CLERKSHIPS.

MR. WEBB (Waterford, W.): I beg to ask the Secretary of State for the Home Department when the next examination for prison clerkships (England) will take place; and whether it will be open to candidates from all parts of the United Kingdom?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No date has been fixed for the next examination for prison clerkships in England. Reductions are still being made in the prison staff, and the prospect of an examination being held is therefore remote. The competition is not open, but limited to selected candidates, who come from all parts of the United Kingdom.

FULL-TIME WORKERS.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Secretary of State for the Home Department whether he has considered the desirability of raising the educational standard for full-time workers under "The Factories and Workshops Act, 1878;" and, if so, what standard of the Code he has fixed upon; and when will it come into operation?

MR. MATTHEWS: The question of raising the educational standard for full-time work in factories and workshops only, as distinguished from other employments, and of applying that higher standard to all factories and workshops alike under Section 26 of the Factories Act, 1878, is a question which cannot be decided without careful inquiry into the circumstances of various industries and conference with the Education Department. I will take an early opportunity of conferring with the Education Department, but I am unable at present to state what course will be pursued?

THE NAVAL MANŒUVRES.

MR. GOULEY (Sunderland): I beg to ask the First Lord of the Admiralty if he will be good enough to state the objective character of the exercises in which officers and men are to be employed during the forthcoming Naval Manœuvres; whether the squadrons are to be located and directed under orders from the Admiralty; if so, are the divisions to be grouped in defensive and offensive classes; and if it correct that the employment of one of the divisions is to be confined to practice in letting go and the heaving of anchors?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The programme of the present year's Naval Manœuvres has been

already made public through a Memorandum published in the daily newspapers, and consists partly of a series of tactical exercises and partly of operations of two squadrons of torpedo boats opposed to one another. This Memorandum will give the hon. Gentleman all the information he wants.

WRITERS IN THE ROYAL NAVY.

CAPTAIN PRICE (Devonport): I beg to ask the First Lord of the Admiralty whether it is the case that the class of writers in the Royal Navy have had no increase of pay since their introduction in 1867, although their duties and responsibilities have greatly increased since then, during which time they have been gradually taking the place of the junior Accountant Officers; whether official representations have been made to this effect; and whether the Admiralty are prepared to consider their case?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): With certain small exceptions, no increase of pay has been given to writers since the introduction of the class in 1867; but as it was intended at the time to substitute them for junior accountant officers to a considerable extent, I cannot admit that their duties and responsibilities have increased beyond what was contemplated. In March last, an addition was made to their pay of 1s. a day when serving in ships not allowed an accountant officer, and also certain allowances were granted to chief writers, who might re-engage on completing their time for pension. The existing regulations being sufficient to attract good candidates, and the case of the writers having been already considered this year, I am not prepared to now re-open the question.

TRAFALGAR SQUARE.

MR. MORTON (Peterborough): I beg to ask the First Commissioner of Works whether his attention has been called to the filthy condition of the water at the fountains in Trafalgar Square; and whether, in the interests of the health of the inhabitants of the Metropolis, he will have the matter attended to?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I find that on the day on which the hon. Member put down his question on the Paper the fountains in Trafalgar Square were awaiting their regular cleaning, and they have since been cleaned. They are emptied and thoroughly cleaned and filled again with 80,000 gallons of water about once every three months, and in the intervals between such quarterly cleanings the water in the fountains is refreshed about once a fortnight. Within the last three and a half months the quantity of fresh water thus supplied to the fountains has been 250,000 gallons. I will consider, however, whether these fountains cannot during the hot weather be more frequently supplied with fresh water.

DR. KLEIN.

MR. S. SMITH (for Mr. M'LAREN, Cheshire, Crewe): I beg to ask the President of the Local Government Board whether Dr. Klein is a permanent salaried official of the Local Government Board, or whether he merely makes an Annual Report regarding his own private experiments; what salary or remuneration Dr. Klein receives; whether any and, if so, which of the inoculation experiments referred to in his last Report were performed with diphtheritic membranes received from the Fulham Fever Hospital, and which of them were made in England; and whether, to prevent future misunderstanding, he will request Dr. Klein to specify in future Reports which of his experiments are made in England and which abroad?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have communicated with the hon. Gentleman who gave notice of this question, and have requested him to defer it until Monday.

ASSAULTING A TITHE BAILIFF IN WALES.

MR. S. T. EVANS (Glamorgan, Mid.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the account appearing in the *South Wales Daily News* of the 8th July instant, relating to a charge against eight persons for an

alleged assault on a tithe bailiff named Robert Lewis, at Crymmych, Pembrokeshire, on the 19th June last; whether he is aware that the accused were on Monday the 6th July arrested under a warrant early in the morning, and afterwards taken to a lock-up, and marched in single file through the public streets of Cardigan town, and that the police refused to produce the warrant to the accused or their solicitor; whether, in the interval of nearly three weeks between the alleged offence and the arrest, there was any indication given, or any reason to suppose, that the defendants could not be served with a summons, and would not appear in answer to a summons; what was the reason of their being charged within the Cilgerran Division, and whether the alleged offence was committed outside that Division; whether he is aware that the clerk to the Magistrates in the Cilgerran Division is also the local solicitor to the Clergy Association of South Cardiganshire and North Pembrokeshire, and whether this gentleman in his capacity as such solicitor has recently applied for the aid of the military or large forces of police to attend at tithe distraints and sales and has been refused; by whose authority and on whose initiative the warrant for the arrest of the accused was issued; and whether the arrests under a warrant without a summons having been previously issued are under the circumstances sanctioned by him; and, if not, what steps he will take in the matter?

MR. MATTHEWS: I am informed by the Chief Constable of Pembrokeshire that seven of the defendants were detained in the lock-up while waiting for the train. On arrival at Cardigan they walked with the police from the station to the office of the Justices' clerk, about 400 yards, and were there admitted to bail. It is not the fact that the police refused to produce the warrants. They were read over and explained in Welsh to each person when arrested. I am informed by the clerk to the Justices that on June 28 he received from the Chief Constable a list of the names and addresses of nine persons who were present in the crowd when the alleged assault took place. On June 30 the complainant laid an information on oath that he had just and reasonable cause to suspect these persons, and applied for warrants, which were issued. He was doubtful whether the accused parties, who were personally unknown to him, would appear to a summons. Under these circumstances, the Magistrates, in the exercise of the discretion vested in them by law, granted warrants in the first instance. The alleged offence took place partly within the Division of Cilgerran and partly within that of Cemmaes, and within 500 yards of the boundary of Cilgerran Division,. Had the defendants not been charged in Cilgerran, it would have necessitated their being taken a distance of 15 miles, and their waiting more than a week for the case to be heard. The clerk is acting as described for the Clergy Association, and has applied for military or police protection for the bailiff attending tithe distraints. To avoid the embarrassment which might arise from his acting in this capacity, he took no part in the hearing of this case on the 7th, but obtained a substitute to act for him. It is no part of my duty to interfere with the discretion of Magistrates in the matter of issuing warrants. They are guided by the special circumstances of the case, and have full power to act as they did under the Statute 11 & 12 Vic., c. 43, s. 2.

FATAL RAILWAY ACCIDENT.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the President of the Board of Trade whether his attention has been drawn to a fatal accident to J. R. Gay, aged 10 years, who was travelling in an East End excursion train on the London, Tilbury, and Southend Railway to Southend, when, owing to the door of the carriage being left unlocked, the child fell out and was killed; whether he is aware that the communication cord of the train was out of order, and the train was not stopped until a considerable time after the accident; whether he is aware that this is the fifth case of a child having fallen from a train during the last 10 days; and whether he can take any steps in the matter?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to the fatal accident referred to,

which occurred on the London, Tilbury, and Southend line. It appears that while the deceased, aged 10 years, was returning to London from Southend he turned the handle of the carriage door and fell out. The company state that the fastening of the door was in working order, and that the communication cord was not connected because it was not required under the Act, as the train was not running 20 miles without stopping at a station. I am aware that similar accidents have recently happened, but in most of them there appears to have been a want of caution on the part of the sufferers. It is difficult to provide against accidents to which the carelessness of passengers contributes, and there are obvious objections to locking as well as fastening the carriage doors.

MR. NEPEAN.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War under what circumstances Mr. Nepean, the late Director of Contracts, resigned; and whether he receives any pension?

*MR. E. STANHOPE: Mr. Nepean retires at his own request under a Treasury authority which, with a view to considerable reductions and economy, sanctions the retirement of members of the higher establishment of the War Office who are over 50 years of age or have over 30 years' service on the pensions they have earned by service without any addition on account of premature retirement. Mr. Nepean has had 38 years' service, but in view of all the circumstances of the case he will not draw any pension till he has attained the age of 60 years, when he would be entitled to retire under any circumstances.

LIVERPOOL POST OFFICE.

MR. CROSS (Liverpool, West Derby): I beg to ask the Secretary to the Treasury whether he can state the result of the negotiations for the acquisition of a site for a new post office in Liverpool?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Arrangements have been made for acquiring a site for the Liverpool Post Office in Victoria Street. The cost, however, is very heavy, and will require a Supplemental Estimate, which is included among those ordered by the House to be printed a few days ago.

NEWFOUNDLAND.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for the Colonies if Her Majesty's Government have held out any expectation that people in Newfoundland who have set up lobster factories, or otherwise acted in opposition to the *modus vivendi*, will be compensated by the Imperial Government at the expense of the British taxpayer; and whether they have any reason to suppose that there is any foundation for the suggestion that, since the decision in the Baird case, new factories have been started with a view to their being closed and their owners enabled to claim heavy compensation from the Imperial Government?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H DE WORMS, Liverpool, East Toxteth): I would refer the hon. Member to the Despatch of March 12, printed at pages 34 and 35 of the Parliamentary Paper C. 6334, presented in April last. This Despatch has been published in the Government *Gazette* of Newfoundland. Her Majesty's Government are aware that a considerable number of new factories have been erected since last season, but they have not received information which would enable them to state that fresh ones have been set on foot since the decision of the Baird case with the object indicated in the question.

IMPORTATION OF SPIRITS INTO WEST COAST OF AFRICA.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs if the importation of European spirits for the use of the natives is still permitted in the Protectorates and Chartered territories on the West Coast of Africa, and if it is the intention of Her Majesty's Government to continue to permit that traffic; and if there is foundation for the complaint of the Chartered Niger Company that, while they levy heavy duties on that importation, in the Oil Rivers Protectorate the importation is free or much more lightly taxed?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The question of the importation of spirits will be regulated by the Brussels Act, when ratified. Where it is permitted it will be controlled. In large districts, such as the Mussulman territories of the Western Soudan under the Niger Company, and territories under the other Chartered Companies to which the 91st Article of the Act applies, it will be altogether prohibited. Hitherto it has been impossible to levy duties in the Oil Rivers Protectorate, but they will be levied in future under the Customs system organised by Major Macdonald.

SIR G. CAMPBELL: Am I to understand that Her Majesty's Government require that spirits shall be admitted at duties provided by the Brussels Conference, or can they exercise their own will?

SIR J. FERGUSSON: I am not prepared to say any more on the subject than I have done. I cannot go into particulars without further notice.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for the Colonies whether, in all the British Crown Colonies on the West Coast of Africa, the importation of European spirits for the consumption of the natives of the interior, as well as in the colonies, is still permitted; and if it is the intention of Her Majesty's Government to continue to permit that traffic?

BARON H. DE WORMS: We have requested the different Governors of Her Majesty's possessions on the West Coast of Africa to report what steps it will be necessary to take to give effect to the recommendations of the Brussels Conference, one of the most important of which deals with the importation of spirits. As regards a duty, however, we already levy a higher rate of Customs duty than the minimum prescribed by the Conference, and, it is believed, higher than that at present levied by any other European Power on the coast. The Revenue chiefly depends on the Customs receipts, and if the importation of spirits were altogether forbidden the only effect would be to divert the trade from our own colonies to those of other Powers which border on them. We do much by exacting as high a duty as it is possible to levy without encouraging smuggling, which already largely exists.

PLEURO-PNEUMONIA.

VISCOUNT NEWARK (Notts, Newark): I beg to ask the President of the Board of Agriculture whether he is aware that certain cattle, belonging to T. Potter, esquire, W. M. Oates, esquire, and Mr. Ibbetson, farmer, all in the County of Notts, have, without apparent reason, been slaughtered by order of a travelling Inspector of the Board as having been exposed to infection from pleuro-pneumonia; and whether he can state the circumstances under which they became exposed to this infection?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): No, Sir; I am not aware of any cattle having been slaughtered without reasons in Nottinghamshire, whether the reasons were apparent or not. Three animals belonging to Mr. Potter, one heifer belonging to Mr. Oates, and one belonging to Mr. Ibbetson have been slaughtered, not by order of the travelling Inspector, but by direct order of the Board. Of Mr. Potter's animals one was found to be diseased, and although the cattle belonging to Mr. Oates and Mr. Ibbetson were found to be free, these animals were some of many sold by Mr. Tucker, of Southampton. Disease, it has been found, as I stated two days ago, has existed on his premises for a long time, and it has been necessary to trace as far as possible, and in some cases to slaughter, those which have recently left his premises. Out of 65 animals thus traced and slaughtered 13 have been found diseased, and I am informed that five others died previously. I regret to have to add that in the case of two other gentlemen in Nottinghamshire who bought cattle from Mr. Tucker pleuro-pneumonia was found to exist in both cases upon the slaughter of the animals.

EDUCATION IN SCOTLAND.

SIR G. TREVELYAN (Glasgow, Bridgeton): I beg to ask the Lord Advocate whether the Government adhere to their decision to refuse to grant a Return of the funds devoted to secondary education in Scotland during this Session; and whether, referring to the promise of the Government to

procure information on this question before dealing with the surplus grant next year, that information will be laid before the House of Commons, and in what shape?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have already stated the reasons why the Government are not prepared to grant the Return referred to, which would not, in our opinion, add materially to the information furnished in the last Report of the Educational Endowments Commissioners. It will be the duty of the Department not only, as I then stated, to obtain the most recent statistics on the subject, but also carefully to examine these, and to gather as full information as possible with regard to the organisation of higher education and the operation of funds devoted to it. In connection with any consideration of the question of assistance to higher education, we shall necessarily state to the House the results of these inquiries; but it would be premature, until the materials are collected, to determine the shape in which such information may be most conveniently submitted.

SIR G. TREVELYAN: I hope that the information will be first presented to the House in the speech of the Minister who moves the proposal.

*MR. J. P. B. ROBERTSON: The right hon. Baronet is looking a long way ahead. I have no doubt that the course taken will be satisfactory to the House.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Solicitor General for Scotland upon whose authority, and upon what evidence, he made the statement, on behalf of the Government, that School Boards in Scotland have made their financial arrangements for the current year upon the basis of the Minute of the Scotch Education Department of 11th June last; whether he is aware that the latest statutory date for School Boards certifying to the assessing authority is 12th June in each year; and whether, considering that the Minute of the Department only became law on 12th inst., the Scotch Education Department had any evidence that one single School Board in Scotland had made their financial arrangements for the current year upon the basis of the Minute?

*MR. J. P. B. ROBERTSON: I understand that the Solicitor General referred to the fact that the proposal to extend relief of fees to 14 years of age had been before the House for some months, and that the terms of the Minute were announced to the House on the 11th June, and published in the Scotch newspapers next day. The arrangement contemplated was thus known to the School Boards at the date when the requisition to the Parochial Board had to be made, and we have reason to believe that, as a general rule, School Boards will be able, with the additional 1s. of capitation grant, to meet the financial results of the Minute, but that any extension of the terms at this period might lead to serious financial difficulty.

JAMAICA.

CAPTAIN PRICE: I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to a question which has lately arisen in the Jamaica Legislature with reference to the holding of seats in that body by two gentlemen who are the solicitors to the Jamaica Railway, a property which is still to a considerable extent owned by the Crown; whether he is aware that the question was submitted to a Committee of the elective members of the Council, a body numbering only nine, including the two members referred to; and whether the Secretary of State for the Colonies proposes to take any action in the matter?

BARON H. DE WORMS: The question was lately raised in Jamaica whether the seats in the Legislative Council of two gentlemen had become vacant by reason of their having, as solicitors to the Jamaica Railway, become parties to a contract with the Government. The Legislative Council, in which the decision of such questions is vested by the Constitution, referred the matter to a Select Committee consisting of the Attorney General and four elected members, who reported that the two members referred to were not parties to a contract with the Government, and had not vacated their seats. This Report was adopted by the Council. The Council consists of seven official and nominated members, and nine elected members. The two members

whose seats were in question were, of course, not members of the Select Committee. The Secretary of State for the Colonies does not propose to take any action in the matter.

NAVAL KNIGHTS COLLEGE AT WINDSOR.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Admiralty whether the Admiralty has come to any decision in regard to the contemplated scheme for the better utilisation of the endowments connected with the College of the Naval Knights at Windsor; and, if so, when it will be promulgated?

LORD G. HAMILTON: Any alteration in the foundation of the Naval Knights of Windsor will require legislative sanction, and I do not propose to introduce a Bill to deal with the question this Session. This institution is founded on celibate and monastic principles, which in practice we find do not always harmonise with the habits of the 19th century, and it has been extremely difficult to find candidates who will carry out the spirit of the founder's wishes. Certain circumstances were brought to my notice last year which convinced me that a considerable change, sooner or later, is necessary to secure the benefits of the Trust to deserving naval officers.

METROPOLITAN RAILWAYS.

MR. COGHILL: I beg to ask the President of the Board of Trade whether, in view of the great inconvenience that is caused to the public by the constant failure of the South Eastern Railway and the London, Brighton, and South Coast Railway to keep to the times in their published time-tables, he will take steps to restrict these companies from putting more traffic and running more trains on their lines than they have the requisite accommodation for?

*SIR M. HICKS BEACH: The matters referred to by the hon. Member are not among those with which Parliament has authorised the Board of Trade to deal.

MR. COGHILL: Am I to understand that the Board of Trade have no power to place any check or limit on the number of trains run in the course of a day; and, if so, has not the time arrived for the Department to come to the House and get further powers in this direction?

*SIR M. HICKS BEACH: Most certainly not. In my opinion, that would be practically giving over to the Board of Trade the decision as to the working of the railways.

VOLUNTARY SCHOOLS IN WHITECHAPEL.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the enormous increase in the rating of voluntary schools in Whitechapel; whether he is aware that in several instances the rating has been doubled and trebled, with the effect of rendering the existence of these schools most difficult; whether he is aware that, in the case of St. Stephen's School, Quaker Street, the rating has been raised from £20 to £92, and that, in consequence of the non-payment of rates, the furniture and a harmonium have been seized; and if he will take steps to prevent this increase in the rating of these voluntary schools?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am aware that a crushing addition to the rating of voluntary schools in the Metropolis was threatened, but no information has reached me as to the disastrous result which has attended the step in the school to which the hon. Member has referred. The Department has no power to interfere, but looking to the extreme gravity of the crisis in its probable effects upon many voluntary schools, I hope the support of the hon. Member will be accorded to any attempt that may be made to deal with the difficulty next Session.

METROPOLITAN OVERSEERS LISTS.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for the Home Department whether he will grant the Return to be moved for to-day in reference to the Metropolitan Overseers Lists for the coming revision?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I am making inquiries as to

whether this information can be obtained with sufficient accuracy for presentation to Parliament. In any case, the wording of the Return has to be very carefully considered; and it is not clear that it ought to be confined to the Metropolis. Should it seem desirable to extend the Return to the whole of the United Kingdom the Scotch and Irish Governments will have to be consulted.

AGRICULTURAL AND DAIRY EDUCATION IN WALES.

MR. S. T. EVANS: I beg to ask the President of the Board of Agriculture what is the amount expended out of the Exchequer during the past year towards the cost of Agricultural and Dairy Education and Attendant Expenses in Wales; and what portion of £8,000 estimated expenditure for Agricultural and Dairy Education for the year 1891-2 is allocated for England, Scotland, and Wales respectively?

MR. CHAPLIN: The grants to agricultural and dairy schools for agricultural experiments are not allocated according to any geographical considerations, but awarded to such institutions as in the judgment of the Board, after inspection and after consideration of the local support accorded, appear to have the highest claims for assistance. In 1890-91 a sum of £4,840 was expended in grants. Of this sum, £500 was awarded to the University College of North Wales at Bangor, the highest sum awarded by the Board to any institution in Great Britain. No other Welsh institution preferred a claim, but the Bath and West of England Agricultural Society received £350 in respect of its itinerant dairy classes in 1890-91, and among the counties visited by that Society were Radnor, Brecon, and Pembroke, so that a portion of this grant, which cannot be separately distinguished, was expended in supply agricultural instruction in South Wales.

SEAMEN'S HOSPITAL AT SMYRNA.

COLONEL HILL (Bristol, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the intention of Her Majesty's Government to convert a portion of the Seamen's Hospital at the Port of Smyrna into a chapel; if so, whether he is aware that the available space in the hospital is barely adequate for the present wants, while the increasing trade of the port will certainly require additional accommodation; and whether, in consideration of the fact that even the reduced dues levied upon shipping for the support of the hospital more than defray the whole of the expenses, Her Majesty's Government will re-consider the proposal with a view to refusing its sanction?

SIR J. FERGUSSON: A suggestion to this effect was made, but upon investigation it has been rejected.

BRUSSELS ACT.

MR. CROSS: I beg to ask the Under Secretary of State for Foreign Affairs whether the time for completing the Brussels Conference has been extended; and, if so, to what date; and whether he can state what action Her Majesty's Government propose to take in view of the course taken by France and Portugal?

*SIR J. FERGUSSON: The principle of extending the period for ratification has been accepted, but the limit has not been decided. Her Majesty's Government have concurred in this extension in view of the postponement of ratification by France, Portugal, and the United States. Nothing can be stated as to what course may be taken after the period is fixed.

THE ROXTETH RIFLE RANGE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for War whether his attention has been called to a serious accident which occurred last week in Northolt Road, Eastcote, to Mr. Walter Heron, while passing along the road, whose skull was badly fractured by a bullet fired at the Roxteth rifle range; whether he is aware that for some years this range has been looked upon as dangerous to the public using the road; and whether steps will at once be taken to close the range?

*MR. E. STANHOPE: An accident on June 3 was reported in connection with one of the two ranges near Harrow used by the Volunteers. The ranges have been closed for some weeks pending inquiry.

THE INLAND REVENUE.

MR. COBB: I beg to ask the Chancellor of the Exchequer whether he can state when the reply will be sent to the Petition of the supervisors, officers, and assistants of Inland Revenue which was some time ago presented to the Lords Commissioners of Her Majesty's Treasury; whether he is aware that a considerable number of Members on both sides of the House have been asked to interest themselves upon the subject of the Petition, and that it will be raised and debated at length on the Estimates; and whether, with a view of saving the time of the House, he can, on an early day, make some statement which will be satisfactory to the petitioners and render any discussion on the Estimates unnecessary?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover-square): I considered last year, with the Commissioners of Inland Revenue, the representations of the Excise staff, to whom the question of the hon. Member refers, and, after careful and prolonged examination, we came to the conclusion that on some points the officers made out a fair case, and that on other points they did not. In pursuance of this conclusion I sanctioned additions to the pay and allowances of the force, which involved a charge on the taxpayers rising in four or five years to nearly £70,000 a year. The memorial which is now before me raises one or two questions, such as that connected with the cost of agricultural statistics, which we have been able to meet, but, in the main, it asks for the concession of those points which neither I nor the Board of Inland Revenue thought ourselves justified in granting last year. So far as I see at present, the memorialists do not bring forward any substantial new reasons in support of their claims. At the same time, I am anxious that all members of the Service should feel that claims are thoroughly and carefully investigated and considered. This I can assure the House is done. With reference to the second part of the hon. Member's question, I am aware and deeply regret the fact that political pressure is sought to be put on Members of this House. Indeed, if this system of lobbying should go beyond its present dimensions, I can scarcely foresee the consequences which may ensue, both to the discipline of the force and the cost of the Service. But I hold that the Executive Government of the day is bound by every consideration of duty to be insensible to that pressure when they are not convinced of the equity of the claims which are urged. With reference to the last question, I doubt whether it will be possible for me to make any further statement satisfactory to the petitioners beyond that which I have now made; and, if necessary, I must defend our course in the Debates on the Estimates. At all events, I must not be influenced in a matter which would involve an additional burden of £100,000 on the taxpayer, beyond the increase of £70,000, the future burden of last year's concession, even for the purpose of saving the time of the House.

MR. COBB: Before a final reply is made, will it be possible for some of the petitioners to see personally the head officials at Somerset House in order that they may place their case before them?

*MR. GOSCHEN: That is a question for the Board of Inland Revenue to consider. As far as I am aware, the Board of Inland Revenue has shown the utmost desire to meet the view of all parties. I will communicate with the Board on the subject.

THE TRAINING SHIP "SOUTHAMPTON."

MR. ATKINSON (Boston): I beg to ask the Secretary of State for the Home Department if he will withdraw the order to refuse boys under 12 years of age admission to the Humber Training Ship *Southampton*, such a change being most likely to ruin a prosperous school ship; and whether he is aware that this change will only affect three school ships, and, therefore, cannot be founded upon any proper experience of harm done by accepting boys up to 12 years of age, the three ships in question having a most prosperous record of the work done by them during the last 25 years?

MR. MATTHEWS: The operation of this order has been suspended. I do not wish to dispute that excellent work has been done by the managers of these ships, and the inspectors do not specify any particular case of hardship having

arisen on any particular ship as necessitating an alteration of the rule, but their experience has led them to the conclusion that it is to the public advantage, both on moral and physical grounds, and in the interests of effective training for sea service, that boys should not be admitted to these ships at a very tender age. The rule excluding boys under 12 is either in force, or agreed to by five out of the eight industrial school ships, and is compulsory on all school ships certified since 1876.

ANCIENT MONUMENTS IN EGYPT.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs what steps have yet been taken to carry out the promise of the Egyptian Government to appoint two inspectors charged with the duty of examining and taking steps for the due custody and preservation of the monuments of ancient Egypt; what sum it is proposed by the Egyptian Government to appropriate for the purpose of this preservation on the Ancient Monuments; and whether any Papers can be presented to Parliament relating to this subject?

SIR J. FERGUSSON: Nothing definite has yet been settled. £910,000 has been allotted in the Budget for the current year.

DAM ACROSS THE NILE.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs whether there is any truth in the report that the Egyptian Government are considering a scheme for the construction of a dam across the Nile at the top of the First Cataract immediately below the Island of Philae; whether the effect of the construction of such a dam as is proposed would be to raise the summer or flood level of the Nile more than 50 feet above the point which it now reaches, and thereby to submerge for some weeks the greater part of the temples on the Island of Philae, effacing thereby the colour of the wall paintings, covering the columns and sculptured walls with mud, and involving the ultimate destruction of the temples themselves, which are among the most interesting monuments of Egyptian art; and whether alternative schemes have been suggested for the construction of dams at other points higher up the river than Philae, by which little or no injury would be done to any historic buildings, while the object of obtaining a reservoir of water supply would be equally well attained?

SIR J. FERGUSSON: There is no information in the Foreign Office with reference to this report. The hon. Member's question will be referred to Her Majesty's Acting Agent and Consul General at Cairo.

ASSAULT AT DRUMLAMPH.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that two men, named Porter and Fullerton, were assaulted without the least provocation on the evening of the 29th of June, at Drumlamph, in the County of Londonderry, by a band marching home from some party *fete*; that Porter was badly injured, and has been under medical care since; and that two constables were present but did not afford any protection, and can he explain why no proceedings have been taken against the assailants?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that it is the case that the two men named were injured by members of a band. Warrants have been issued against two men charged with the offence, and who, it is reported, have absconded; but every effort is being made to effect their arrest. One constable was present. A complaint was made against him by the injured men, and the County Inspector at once took steps to have it inquired into. The case against the constable is still *sub judice*.

DEATH FROM EXPOSURE.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that James Gallagher, upwards of 80 years of age, who in a distress state lived in the village of Ardhoum, electoral division of Meelick, was obliged to travel over four miles every day to relief works in another division, and that he was taken ill from exposure on 17th June, and died on 20th, and whether it would be possible to open relief works in the division of Meelick, so as to render it unnecessary for old and feeble

people in distress to travel into another division for relief work?

MR. A. J. BALFOUR: The man referred to was, I am informed, 60 years of age. He did not die from exposure, but from a complaint of long standing. He frequently lodged at the place where the works were going on. His friends made no complaint about his death having been accelerated by exposure on the works, but, on the contrary, expressed themselves to the police as being most grateful for the assistance which had been rendered him. No necessity has been found for opening relief works in Meelick. There are works proceeding at three places, all within reach of Meelick.

ORDNANCE MAPS OF IRELAND.

MR. SEXTON: I beg to ask the Secretary to the Treasury whether complaints have reached him that the set of Ordnance maps of Ireland and other parts of the United Kingdom in the National Library, Dublin, is incomplete and out of date; that there is no regular agency in Belfast for the supply of Ordnance maps, and that consequently there is often delay and accruing inconvenience in the supply of them in that city; and whether he can take any steps to establish an agency for these maps in Belfast?

MR. JACKSON: I have heard no complaints about the set of Ordnance maps in the National Library, Dublin, but I will communicate with my right hon. Friend the Vice President of the Committee of Council on Education, in case there should be any defects that can be remedied. There is no agency in Belfast, because under the existing system there is only one agent for the sale of Ordnance maps, but I believe there is no difficulty in obtaining from him promptly any maps that are required through any map-seller. The question of whether the present system of distribution of Ordnance maps should be changed is now under the consideration of the Board of Agriculture and the Treasury.

MR. SEXTON: Is the right hon. Gentleman aware that there is always four days' delay in obtaining any Ordnance map in Belfast, and that the one-inch map in the Dublin National Library is 50 years old, and only of historical interest?

MR. JACKSON: I should have thought there ought to have been no difficulty in obtaining these maps in Belfast by return of post. I am not aware of the other facts stated by the hon. Member. I will inquire into the matter.

INLAND REVENUE OFFICE, DUBLIN.

MR. WEBB: I beg to ask the Secretary to the Treasury if he will explain why it is that four supervisors, who are already fully employed in their own department, are doing the work of clerks in the Inland Revenue Office, Dublin, although second-class assistants are competent for the duty now being performed by the four supervisors, and are available?

MR. JACKSON: I will not ask the cource from which the hon. Member derives his information, but he is incorrectly informed. The Clerical Supervisors and officers are employed on their respective duties. No assistant is competent to perform the duties of a supervisor and no assistant is available or unemployed in Dublin.

THE RIVER ILEN, SKIBBEREEN.

DR. TANNER (Cork Co., Mid.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a Resolution unanimously agreed to by the Skibbereen Town Commissioners, in the County of Cork, protesting against the construction of a three-arch railway bridge across the River Ilen at Skibbereen, and calling attention to the suffering and sickness which have, in the past, been caused by floods in Skibbereen; and whether steps will be taken to provide a one-span bridge for the light railway, and thus prevent any obstruction in the river's course?

MR. A. J. BALFOUR: This question ought to have been addressed to my hon. Friend the Secretary to the Treasury. Perhaps the hon. Member will put it down for another day?

DR. TANNER: I will put it down for to-morrow.

ENGINE DRIVERS.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for

Ireland if any instructions could be given to relieve from the severity of immediate arrest engine drivers whose engines may accidentally cause death on railway lines; is it the fact that, even in cases where suicide is committed by persons throwing themselves under the engine, the arrest of the driver follows; and, as engine drivers, when arrested in these cases, are frequently wet, cold, and hungry after their trips, will the attention of the police be called to the great hardship of detaining them overnight in the cells to await magisterial investigation instead of taking their names, or allow some discretion to the police, at any rate, where the driver himself reports the occurrence?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University) promised to make inquiries on the subject.

QUEEN'S COLLEGE, IRELAND.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in the event of vacancies arising in the Chairs of the Irish Queen's Colleges, the claims of properly qualified Queen's College students will be taken into account; and if the Queen's Colleges are unable to turn out men so qualified, will the Government consider the propriety of decreasing (or discontinuing) grants to these Colleges?

MR. RENTOUL (Down, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the education given in the Queen's Colleges in Ireland has been proved by all possible tests, such as the examinations for the Indian Civil Service and other public appointments, to be equal or superior to that of any other colleges in the Empire; whether he is aware that the Queen's Colleges cannot always produce the best men for their own professorships owing to the fact that the Queen's Colleges have not got fellowships which would enable their students to pursue their studies to such an extent as to fit them for professorships; and whether, in view of this excellence on the part of the Queen's Colleges, as far as their endowments enable them to go, he will, in the event of the Queen's College students not being found sufficiently learned for any professorships that may shortly become vacant, consider the propriety of increasing the grants to these colleges so as to found fellowships connected with them?

MR. A. J. BALFOUR: The claims of all properly qualified Queen's College students who may be candidates for vacancies in the chairs of the Irish Queen's Colleges will receive careful consideration. There is no reason to suppose that these colleges are unable to turn out men so qualified, but in promoting the usefulness of these institutions it is considered advisable to open the chairs to all comers, and to select from among them the man who appears best qualified for the duties. The students of these colleges have in all professions and in the public competitions acquitted themselves with honour to themselves and with credit to their colleges.

LOUGH ERNE.

MR. H. CAMPBELL (Fermanagh, S.): I beg to ask the Secretary to the Treasury whether the Local Board at Enniskillen, by whom the Lough Erne works of arterial drainage and navigation have been carried out during a period of ten years, was under the supervision and control of the Commissioners of Public Works in Dublin; were all moneys advanced by the Treasury disbursed by the Commissioners of Public Works; is he aware that the Commissioners, although in 1880 they approved an estimate of £74,000, to be repaid from 17,500 flooded acres, on 9th October 1890 sanctioned an outlay of £178,330, and that, in addition, there is a yearly charge of £1,000 for the maintenance of the works, repayable in 98 half-yearly instalments of £3,631 3s. 2d. each; is he also aware that the Commissioners have made this award upon accounts furnished without date, audit, or signature; and whether, having regard to all the peculiar circumstances of the case, the Government will grant a sworn inquiry into the matters, to be held in Enniskillen, the central town of the drainage district?

MR. JACKSON: The Lough Erne Drainage Works were carried out by the Local Drainage Board, who were not under the supervision or control of the Board of Works. The loans sanctioned by the Treasury for the execution of

these works were advanced to the Local Drainage Board by whom the money was disbursed. The first estimate was £74,000. The excess over that amount was sanctioned be the Board of Works on the application of the Drainage Board. Of this excess about £25,000 arises from the accumulation of interest on the advances, owing to the delay which took place in executing the works. The cost of maintaining the works will vary, and under good management by the Local Board may be considerably less than £1,000 per annum. The accounts of expenditure have from time to time been furnished to the Board of Works by the Drainage Board, properly signed and dated, and have been duly audited by the Board of Works Accountant.

IRISH RELIEF WORKS.

MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that numbers of the poor people in the Division of Selerna were struck off the relief works at this most critical period of the year, leaving them without any sustenance whatever; if he will instruct the Local Government Board to have them at once reinstated to prevent widespread distress; and if he will also take steps to provide relief works for the starving people of Leam, who have been deprived of work in consequence of one of the gangers being sent away, no work having been laid out for him?

MR. A. J. BALFOUR: I believe it is the case that a number of persons have been struck off the relief works at Selerna, but only after a careful inquiry into the circumstances showed that the continuance of relief was not necessary. As to the last paragraph of the question, perhaps the hon. Member will put it down again, further defining the district.

In reply to Mr. SEXTON,

MR. A. J. BALFOUR said: There is no date fixed for the continuance of relief works, but the condition of the different localities is taken into account.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is true that a number of relief works instituted by the Government in West and South Cork will be left unfinished, and that it is proposed to tax the cess payers of the County of Cork, as suggested by the County Surveyor to the West Riding of the County of Cork, to supply the alleged deficiency; and, if so, which of the works in course of construction will be left unfinished?

MR. A. J. BALFOUR: I have not yet been able to obtain the information that would enable me to answer this question.

DR. TANNER: At what date will the right hon. Gentleman be prepared to answer it?

MR. A. J. BALFOUR: Probably to-morrow.

DR. TANNER: Then I will repeat the question to-morrow.

POTATO BLIGHT.

DR. TANNER: I beg to ask the President of the Board of Agriculture which of the proposed remedies for potato blight is considered the best for use in Ireland, namely, the sulphate of copper dressing, the sulphate of iron, or Bichon's patent remedy; and whether, in the opinion of experts, any of these dressings can be successfully applied without complete destruction of all infective refuse and thorough preparation of the soil where an infected crop has been recently grown?

MR. CHAPLIN: What is most desirable in Ireland is a matter, I think, more for the opinion of the Chief Secretary than mine; but, generally speaking, I may say that the question of the best remedy for potato blight is now the subject of a series of experiments which are being carried out for the Board of Agriculture by the Royal Agricultural Society in England, and by the Highland and Agricultural Society in Scotland. I believe that further experiments are also being made in Ireland. Until these experiments have been reported on, I shall not be in a position to give a definite reply to the hon. Member's question. All the information in the possession of the Board of Agriculture respecting foreign experiments and the steps to be taken as to the destruction of infective refuse has been published in the Report of the Intelligence Department of the Board and in a recent leaflet, and in that Report special attention is directed to the necessity of destroying all infective refuse.

TULLAMORE PRISON.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will communicate to this House the terms of the Report of the Experts on the sanitary condition of Tullamore Prison?

MR. A. J. BALFOUR: There will be no objection raised on behalf of the Government if the hon. Member desires to move for a return of Reports of Sir Charles Cameron and Mr. Kaye Parry on the drainage of Tullamore Prison.

PIER AT RED GAP.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received any resolution or memorial from the inhabitants of Labasheeda, county Clare, in reference to the building of a pier at Red Gap on the Shannon, from which to ship and unload the imports and exports of that locality; and whether, having regard to the fact that when the Lord Lieutenant was on his late tour in that district, Colonel Lloyd and Mr. Reeves brought him to Red Gap, pointed out the necessity for the pier, and obtained His Excellency's promise that it would be erected, and also to the fact that there is neither pier nor landing stage nearer Labasheeda than 7 miles on the one side and 12 on the other, he will advise or authorise the erection of a small pier at this point?

MR. A. J. BALFOUR: It is the case that a memorial signed by Mr. Reeves, Colonel Lloyd, and others, praying for the construction of a pier at the place mentioned was forwarded to the Lord Lieutenant; but there is nothing to suggest that His Excellency gave a promise of the nature stated. On the contrary the memorial expresses regret at his inability to visit the place. On the general question, however, I may say that having regard to the large sums of money recently provided by Parliament for public works in Ireland the Government would not feel justified at the present time in bringing forward proposals for further grants.

THE CRIMES ACT.

DR. TANNER: I beg to ask the Chief Secretary for Ireland how many prosecutions of men on strike have been made under the Criminal Law and Procedure (Ireland) Act?

MR. A. J. BALFOUR: Perhaps the hon. Member will repeat the question on a later day. I have not been able to obtain the information.

WEST CORK MAILS.

DR. TANNER: I beg to ask the Postmaster General what was the exact amount which the proposed acceleration of the mails to Skibbereen and West Cork would cost; and whether the Cork and Bandon and West Cork Railway had offered any facilities in the matter?

*MR. RAIKES: The Railway Company expressed their readiness to afford the suggested acceleration of the day mail train for a further payment by the Post Office of £2,703 a year, to that extent increasing the cost of a service on which there is already a loss of £1,680 a year.

THE PLYMOUTH TRADE UNION CASE.

MR. FENWICK (Northumberland, Wansbeck): Will the Home Secretary lay on the Table a copy of the judgment of the Court of Appeal in the Plymouth Trade Union case?

MR. MATTHEWS: If an authentic copy of the Judgment of the Court of Appeal in the Plymouth Trade Union case can be obtained, I shall have no objection to cause it to be issued as a Parliamentary Paper.

PUBLIC BUSINESS.

MR. E. ROBERTSON (Dundee): I wish to ask the Chancellor of the Exchequer if he can now answer the question which I put to him yesterday, whether, in the event of his Motion for the suspension of the Twelve o'clock Rule being accepted, he will on the part of the Government undertake to oppose after 12 o'clock all private Members' Bills as to which notice of opposition may have been given?

MR. LEA (Londonderry, S.): If private Members will not come down to air their obstructive tactics after 12 o'clock, is it the business of the Government to do anything to assist them?

*SIR J. SWINBURNE (Stafford, Lichfield): Will the Chancellor of the Exchequer include the Hanover Chapel Bill in those measures which the Government will oppose after 12 o'clock?

MR. GOSCHEN: The question put by the hon. Member for Dundee (Mr. E. Robertson) really concerns the House more than the Government, and I can well conceive that there may be two opinions on the subject. There are, as the hon. Member is aware, certain Bills which are almost unanimously approved by the House. There is one private Member's Bill, for instance, on which there is a considerable feeling on both sides, and that is the Betting of Infants Bill. Members on both sides almost unanimously desire to see that Bill passed. If it were the general wish of the House, I should cheerfully accede to the view of the hon. Member, but I am reluctant to exclude all possibility of Bills being advanced which the House almost unanimously desires to see passed, and I should not like to exclude them without further consideration and inquiry. I will make further inquiry, and endeavour to ascertain the views of hon. Members in all parts of the House on the subject.

*MR. G. OSBORNE MORGAN (Denbighshire): Will the Army and Navy Votes be taken after the Civil Service Estimates?

MR. SEXTON: When will the Lords' Amendments to the Irish Land Purchase Bill be taken?

*SIR J. SWINBURNE: The right hon. Gentleman has not answered my question in reference to the Hanover Chapel Bill.

MR. GOSCHEN: The Hanover Chapel Bill is a private Bill, and must follow the ordinary procedure. It is proposed to take the Lords' Amendments to the Irish Land Purchase Bill on this day week, if that falls in with the general wish of the House. It is not proposed to take the remaining Army Votes until Class 4 of the Civil Service Estimates has been passed.

MR. MUNDELLA: When will the Education Statement be made?

MR. GOSCHEN: It will be made when we reach Class 4.

MR. MUNDELLA: It is usual to give notice beforehand.

MR. GOSCHEN: I will endeavour to meet the view of the right hon. Gentleman.

MR. H. H. FOWLER (Wolverhampton, E.): May I ask the Chancellor of the Exchequer to pledge the Government that when Government business extends to one o'clock, private Members' Bills shall then be opposed by the Front Bench, so that Members who have given notice of opposition shall not be compelled to attend after that hour?

MR. GOSCHEN: The latter proposal I will accept at once. If the House has gone on sitting beyond one o'clock there ought to be no necessity for any hon. Member to come down. I thought that was understood.

SIR G. CAMPBELL: Will Classes 2, 3, and 4 of the Estimates be taken in regular order?

MR. GOSCHEN: Yes, without interruption.

MR. H. CAMPBELL: When will the Irish Estimates be considered?

MR. A. J. BALFOUR: They will be taken in their order. I cannot forecast the time which will be occupied with the Estimates which intervene, but I hope it will not be long.

DR. CLARK (Caithness): May I ask, Mr. Speaker, whether the half-past 12 o'clock rule still obtains, or whether it has been repealed?

*MR. SPEAKER: The half-past 12 o'clock rule does not exist.

NEW MEMBER SWORN.

John Hammond, esquire, for the County of Carlow.

NAVY (SQUADRONS ABROAD).

Copy ordered—

"Of Return showing the Comparative Strength of our Naval Squadrons Abroad in June, 1886, and June, 1891."—(*Lord George Hamilton.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 343.]

MOTION.

SITTINGS OF THE HOUSE (SUPPLY AND WAYS AND MEANS).

(4.25.) Motion made, and Question proposed,

"That for the remainder of the Session the proceedings of the Committees of Supply and Ways and Means be not interrupted under the provisions of any Standing Order regulating the Sittings of the House, and may be entered upon at any hour, though opposed."—(*Mr. Chancellor of the Exchequer.*)

MR. ATKINSON (Boston): I beg to move, as an Amendment to the Motion of the right hon. Gentleman—

"That this House regrets the manner in which the privileges of hon. Members are constantly being taken away, and by way of protest against such Motion, declines to accept the proposal of the Chancellor of the Exchequer."

*MR. SPEAKER: I am afraid that the Amendment is not relevant to the Motion. The Motion refers only to the taking away of the Twelve o'clock Rule, and the rights of private Members are scarcely affected thereby.

MR. ATKINSON: Then I presume that I may speak against the Motion if that is in order?

*MR. SPEAKER: Quite in order.

MR. ATKINSON: I think that five minutes may be usefully employed in showing that private Members are treated very badly by both Front Benches. It seems to me that it is no use a Member coming into Parliament as a private Member, even if he should express the opinions of all the people of England, because the two Front Benches make little arrangements of their own by which everybody is to be smothered unless he is a right honourable or hopes to become one. [An hon. MEMBER: That means everybody.] It does not include me. I am not one, and never shall be one; but I know that in regard to many important Bills which have been brought before the House, the opinion of the people is my opinion. Take, for instance, the Sunday Closing Bill for Ireland, and also for England and Wales. I consider those Bills better than any 10 Bills which either the Government or the Opposition have produced in the present Session. The People of England—with a capital "P"—will be more glad to have those Bills than any which will be passed by the Chancellor of the Exchequer and his Colleagues, or the Front Bench opposite either, even if the Session lasts until the 31st of December. The Front Benches play into the hands of each other, and ignore their friends. It is very discouraging to men who give up their time and energy, and occasionally make themselves ill in trying to do their duty to their constituents, to find that their leaders treat them with contempt—I mean, of course, in a Parliamentary sense. I do not say that the right honourables insult them. They say they will do the best they can for them, but nothing ever comes of it. Having some very good measures of my own, the Second Reading of which has been accepted by both sides, I think I and my constituents are as much entitled to be heard as right hon. Gentlemen. I am as much a Member of Parliament as any one of them, and I feel as much sense of my own importance as they do. Consequently, I protest against the Resolution being carried, because it is not the proper method of doing business, and to show that I am not to be treated in this way, I shall certainly divide the House. In another Session I will obstruct a good deal further, because then I shall do as the hon. Member for Northampton said he would do at the beginning of this Session. If I cannot propose my Bill, which I consider better than those of the Government, I will show that I am not to be defeated in this way. I think I am entitled to speak for my constituents as well as other Members for theirs.

DR. TANNER (Cork Co., Mid): I have listened to the eloquent and wise discourse of the hon. Member, and I feel bound, as one who seldom speaks here, to give him my warm sympathy and assistance. I sincerely hope that he will stick to his point in the way he has indicated, and that he will defeat this proposition put forward by the Chancellor of the Exchequer. I feel very deeply the insult which is offered to Ireland. I have a little Bill of great importance to the labourers of Ireland. It is to grant them half an acre or an acre of land; but the opportunity for it is past. I protest against the time of the House being taken in this fashion, and the injustice which is being done to Irish Members.

(4.35.) SIR W. HARCOURT (Derby): I listened with great interest to the instructive, and what I call the noble protest of the hon. Member for Boston against the coercion of private Members. I think the time has come when they ought to deliver themselves from the slavery under which they have laboured. I also agree with him that the several measures which he has mentioned are more deserving of attention than most of those which have been proposed by Her Majesty's Govern-

ment. I believe measures of Sunday closing in Ireland, and in other places, are more valued by the country than the measures which have been passed by the Government. Sir, you have pointed out with perfect truth that these observations have not a direct bearing upon the Motion before the House, because sitting beyond 12 o'clock will not in any way affect the chances of private Members. I am afraid I myself come under the displeasure of the hon. Member for Boston, for he has levelled his complaints against gentlemen sitting on both Front Benches. Still, I think both sides of the House are anxious to bring the Session to a close, especially after they have been put to the inconvenience of meeting in November; and, under the circumstances, Supply should have been put in a prominent place, that it might be properly discussed. Over and over again I have said that any attempt to reduce the Votes by a few pounds is seldom successfully attempted, but it is a great opportunity to question and examine the conduct of the Executive Government in all its departments. To thrust Supply to the fag end of the Session is, therefore, practically to defeat the inquisition which the House of Commons has the right and the duty to perform. It is quite plain that at the fag end of the Session a great number of Members must be away, and that the Government are placed in a position with reference to Supply which they would not be in if it were brought on at a proper time of the Session. I confess that when this Motion is made it is right we should protest against the position in which we find ourselves with regard to Supply. Ireland is now lying under the exceptional law of the Coercion Bill, and Irish Members have a special right in Committee of Supply to question the action of the Executive Government, and it is very hard upon them, I think, that they should be placed at any disadvantage in matters of this kind. With regard to the Motion, I hope the right hon. Gentleman will give the House the assurance that if this Motion is passed the Government will not abuse the licence, and that it is not meant to extend the sitting beyond one o'clock. If it is only intended that the strict rule of 12 o'clock shall not interfere with securing a Vote which has been discussed, and that it is not intended to extend the sittings to an unreasonable hour, I for one shall not be disposed to oppose the Motion.

MR. SEXTON (Belfast, W.): As I said yesterday, this is a grievance to Ireland. We have protested from time to time against the unbusinesslike way in which Supply is conducted. As the right hon. Gentleman has said, we are living under an exceptional coercive law, and owing to the extent which in recent Sessions and this Session, the Government have taken the time of private Members, we are deprived of all opportunity to call attention to Irish administration save in Committee of Supply. Is it not scandalous, does it not involve a most injurious reflection on the capacity of Members, that after a Session of eight months, not one Irish Vote has been taken, and we have had no opportunity of calling attention to the action of the Irish Secretary with regard to the Coercion Act? It is an intolerable grievance to be obliged to consider these Votes when the House is empty, and under conditions which preclude the public press from reporting discussion in which the country is deeply interested. I would point out that on the order of the Votes the Scotch Votes will be taken first, and it is very likely indeed that the Irish Votes will not be reached until after midnight. I move as an Amendment—"Provided that no Irish Vote in Supply be proceeded with after 12 o'clock."

Amendment proposed, at the end of the Question, to add the words "Provided that no Irish Votes in Supply be proceeded with after midnight."—(*Mr. Sexton.*)

Question proposed, "That those words be there added."

(4.46.) MR. LABOUCHERE (Northampton): If the Chancellor of the Exchequer assents to the Amendment, I shall move that no English Vote be proceeded with after 12 o'clock, and I have no doubt my hon. Friend the Member for Kirkcaldy will take a similar course with regard to Scotch Votes. The fact is, we are all suffering from an intolerable grievance, and we must take our chance. I ask the Chancellor of the Exchequer for some sort of assurance, and a positive assurance, that next Session we shall

have an opportunity of discussing the Estimates. I confess I am unable to see why we should go to bed at 12 any more than at any other hour; so, personally, I have no feeling in the matter. At the same time, I know that after 12 o'clock there is difficulty in reporting discussions in which our constituents are interested. There is, however, a general desire to bring this Session to an early close, and I therefore hope the Chancellor of the Exchequer will assure us that he will not go beyond a little after 12 o'clock or a quarter to 1. I know from experience that our Irish friends are able to lengthen a Debate on any particular Vote, and in that respect they can always take better care of themselves than we unfortunate English can take care of ourselves. The fact is, the poor Englishman is nowhere in this House. Scotch and Irish Members occupy the time, and we are introduced in the interstices of Debate to discuss matters of millions and millions of pounds. I cannot vote with my hon. Friends, because I have my own grievance, and I cannot redress their grievances at the expense of my own.

MR. MUNDELLA (Sheffield, Brightside): I wish to point out that it is an invaluable rule which provides that the Votes shall be taken in their consecutive order, and I would remind the right hon. Gentleman that Vote 4 has always been succeeded by the Minister's statement. We have not yet had that statement for the year, and it is one of which we have always received due notice. Is that course to be pursued this year, and are Members to have the Report of the Inspectors as usual, and before the annual statement is made?

MR. CUNNINGHAME GRAHAM (Lanark, N.W.): I wish to know whether there is any possible chance of discussing the Eight Hours Bill? [*Laughter.*] Hon. Members may laugh at a question in which millions and millions of our workpeople are engaged; but I am within the recollection of the House when I say that the First Lord of the Treasury made a promise—a half promise, or section of a promise—that he would find a day for the discussion of the measure.

*(4.52.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): As I am one of the victims of the eloquence of my hon. Friend behind me, being one of the Members of the Front Bench, I can assure him that there is no desire whatever to suppress either the individuality or the legislative desires of any of those who sit behind us, and I should be sorry if there is any lurking feeling that any discourtesy was intended either to himself personally or to any hon. Members. In answer to the right hon. Gentleman the Member for Derby and the hon. Member for Northampton, I have to say that the Government do not propose to sit beyond a reasonable hour after 12 o'clock. Our intention is rather to remove the limit than to extend the Sitting. The convenience of the officers of the House would be considered, and the House may rely upon it that we should only propose to sit so long as we had the general concurrence of hon. Members; we would not push matters beyond an hour which was convenient to them. I am sorry that I cannot assent to the Amendment of the hon. Member for West Belfast, and the hon. Member for Northampton has shown that it would be extremely hard on the members of other nationalities. The right hon. Gentleman the Member for Derby said Irish Members have a special grievance; but I would point out to them that 34 or 35 days were devoted to the Irish Land Purchase Bill, in which Irish Members took a very considerable interest, and, although they have not had time for the discussion of special grievances, I think it will be seen that they have had a fair share of the full time of the House. However, I recognise the special circumstances of Ireland, and it is natural that Irish Members should desire to be able to discuss their grievances on Votes of Supply. But an Irish Estimate might come on early, and might be stopped by one or two Members about midnight. I can assure the Irish Members that there will be no attempt to prolong the Sittings after 12 o'clock against their desire. But a Vote may have been discussed from 8 to 12 o'clock, and may only have reached its termination when 12 o'clock arrived, and though it probably might have passed in another half-hour, we should be obliged to stop its consideration at 12 o'clock.

MR. SEXTON: How if an important Vote came on at half-past 11?

*Mr. GOSCHEN: If there was no chance of getting the Vote we should be prepared to deal with it in the spirit I have indicated. I put it broadly that there is no intention to force discussion; all that is intended is the introduction of a little elasticity in dealing with Supply, thereby affording a better opportunity of taking important Votes at a reasonable hour. With regard to the question of the hon. Member for Lanark, I see very little hope of taking any discussion on the Eight Hours Bill in the present Session; but the Government are not at all insensible of the immense importance of the question, and the interest which is taken in it out of doors. The appointment of the Labour Commission is surely an indication of the desire of the Government that these questions should be thoroughly threshed out. As to giving a positive pledge that Supply shall be taken earlier next year, I am afraid that it would be useless to give the hon. Member for Northampton a vague assurance. But I would point out that it is quite possible that Members might be so much interested in a Bill as to bring pressure to bear upon the Government to push it forward before taking Supply. I am sure, therefore, that every Member of the House will see that it is really out of my power to give any positive pledge as to Supply, and clearly it would not be of any use to give any vague assurance. Still, it will be remembered that a certain portion of Supply was taken early this year, and, with regard to the observation of the right hon. Gentleman the Member for Derby, that there ought to be a serious inquisition of the Foreign, and Colonial, and other Departments, I would observe that both the Foreign and Colonial Votes were pretty fully discussed, and that the inquisition which he thinks ought to take place should take place in the course of the present Session. With regard to the Education Vote, I will communicate with my right hon. Friend the Vice President and see whether his statement can be taken as usual as the first Order of the Day.

*(5.0.) Mr. CREMER (Shoreditch, Haggerston): Whatever course the hon Member for West Belfast may take, I hope the House will emphatically protest against the proposal of the Chancellor of the Exchequer, and that we will teach this and successive Governments that they must bring forward the Estimates at a very much earlier period of the Session. I may say with truth that the speeches made in the recent discussions in Supply showed an honest desire on the part of the Members on this side of the House that the business of Supply should not be delayed. To discuss items of Supply after 12 o'clock, when there is a handful of Members, and those half asleep or so impatient that they drown the speaker's voice by cries of "Divide," is an absolute farce. It is absurd to ask Members to vote millions of the money of the labouring classes of this country at 1 or 2 o'clock in the morning. I hope we shall divide the House, and that a large minority—we have no chance of a majority—will teach this and succeeding Governments that the Estimates shall be taken at a time when they can be fairly considered.

Mr. T. M. HEALY (Longford, N.): There is no disposition on this side of the House to deny that the time has arrived when the Government may fairly ask for some concession. It was promised that we should rise by the 1st July, and it should not be forgotten that in November and December the Government made unparalleled progress. They got the Address after two hours' debate, and the Second Reading of the Land Purchase Bill in the course of two or three days. They also got the Land Department Bill, and they met at the end of January with a clean slate and two months ahead. I do not understand how it is the Government have got into distress as they have, but I feel that the promise made by the Chancellor of the Exchequer is not unreasonable, and I do not think my hon. Friend the Member for Belfast (Mr. Sexton) will be disposed to press his opposition. At the same time, I am bound to say that, when Governments ask the House for time, they are much more disposed to make promises than they afterwards are to perform them. The speech of the Chancellor of the Exchequer reminds me very much of a speech made by the First Lord of the Treasury, whose absence we all regret, when he was moving the closure rule. The right hon. Gentleman then told us that it was only to be used when every-

body had spoken except two or three Members. We all know that the moment the Government got the closure into their hands a Member could hardly open his mouth before the closure was moved. I am sure, however, that the Government will adhere to their promises on the present occasion. For my part, I have never been sorry when Estimates have been rushed through at the end of the Session, because I think we have much more power to extort concessions from the Government under such circumstances than when Supply is finished earlier in the Session. As I understand, we are this year to address ourselves to Class II. of the Irish Estimates first. There are two Votes standing over from Class I.—those relating to railways and the Board of Works—and I will ask the Government whether it is intended to take those two Votes before dealing with the more important Votes in Class II.?

*(5.3.) MR. MORTON (Peterborough): I desire to protest against this attempt to interfere with the rights of private Members. The Motion has been thrown upon us without any explanation or any excuse being given; and when the Chancellor of the Exchequer did attempt to answer some questions put to him he did not endavour to give any reasons for the adoption of his proposal. There is no complaint whatever, either inside or outside this House, of any obstruction or attempted obstruction in regard to Supply. [*Cries of* "Oh!"] It is all very well for hon. Members opposite to indulge in these inhuman cries. I will appeal to the leading organ of the Government, the *Times*, which stated distinctly yesterday that there is no attempt, in their opinion, at obstruction in the discussion of the Estimates. This proposal is especially hard upon those who attempt to take an interest in the spending of the people's money. Nobody will deny that the most important part of our duty in this House is to supervise that expenditure. The Government have really nothing to gain by their proposal, because, at the very utmost, we should be only asked to stay a few days later if the 12 o'clock Rule were not suspended. I do not believe we shall be able to beat the Government to-day, but I hope the time is coming—perhaps it will come next Session—when we shall have a day a week from the commencement of the Session for the discussion of the Estimates. The Government have occupied all the time of the Session; first of all, in giving money to their friends in the Church out of the tithes, then in giving their friends the landlords of Ireland, as much of the public money as they could; and then in protecting the Church schools. When the greater part of the Session has been occupied in this way, we are asked to pass all the Estimates in the course of a few days. The greatest grievance of all is that they will not even give us tea and coffee at the bar outside.

MR. SEXTON: I agree with my hon. Friend the Member for Longford (Mr. T. Healy) that the concession made by the right hon. Gentleman is reasonable, namely, that no Irish Vote shall be pressed to an issue after 12 o'clock against our will. [*Cries of* "No!"] That is the concession as I understand it.

*MR. GOSCHEN: I will consult with my right hon. Friend the Chief Secretary as to the precise time at which Classes I. and II. of the Irish Votes shall be taken. With regard to the remark of the hon. Member for West Belfast, what I said was that no important Irish business should be taken after 12 o'clock against the protest of the Irish Members. There would be no wish to force any Vote through against the wish of any considerable body of the House. I include the Irish Members in that. I trust they will facilitate matters also, and will not stop the Irish Votes at 12 o'clock if they are going through.

SIR W. HARCOURT: I am glad to hear the right hon. Gentleman say he will consult the Chief Secretary for Ireland. It has been the habit in former Sessions to make arrangements for the discussion of the Irish Votes which would conduce to the convenience of hon. Members from Ireland, who are placed at considerable disadvantage by the fact that they are so far from their homes. I hope special arrangements will be made on this occasion to meet the difficulties in which they are placed.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): Will the right hon. Gentleman adopt the same course in regard to Scotland, and take the Vote

for the equivalent grant before the ordinary Estimates?

*Mr. GOSCHEN: What we propose to do with regard to the Scottish Grant is to take it at the conclusion of Class IV., after the Free Education Vote has been passed.

Sir G. TREVELYAN (Glasgow, Bridgeton): I think the Vote would come far more fitly after Vote 31 than in Class IV.

*Mr. GOSCHEN: I will consider the point.

(5.10.) Dr. CLARK (Caithness): I think the explanation of the Chancellor of the Exchequer is very satisfactory, and I should feel inclined not to vote against the Resolution, but for the fact that the whole of the private Members' time on Tuesdays and Fridays has been taken away by the Government, and that, now we are bringing forward our grievances in Committee of Supply, we are to have the Twelve o'clock Rule suspended. I wish to ask why the services of the Deputy Chairman should not be used every evening at dinner time. We lose two hours and a half a week by not employing him. I think also it would be better to meet earlier, say at 1 or 2 o'clock, than to sit later than we do at present. [*Cries of* "Oh!"] Of course, Members who give merely the fag-end of their day to Parliamentary work will object to such a proposal, but I protest against the business of the country being arranged merely to suit the convenience of professional men who devote merely their odd hours to their duties as legislators.

Mr. E. ROBERTSON (Dundee): The Chancellor of the Exchequer says the House is fairly unanimous with regard to the Infants Bill, and he has expressed his own approval of it. This Bill is one of great importance, and I do not think any measure which extends the criminal law should pass this House without adequate discussion. I would suggest that, as the Bill is regarded as so important by the Government, they should give their own time for its discussion, and should report Progress some night, say at 10 o'clock, so as to allow of its discussion.

Mr. A. M'ARTHUR (Leicester): I hope my hon. Friend will not put the House to the trouble of a Division. At the same time I must point out that private Members have been placed at a very great disadvantage year after year and Session after Session, and that they have been worse treated this Session than in previous Sessions. Under these circumstances, if the Amendment is pressed I shall vote for it.

Dr. TANNER: I wish to support what was said by the hon. Member for Dundee. If the Government are anxious to pass a Betting Bill they should use their own counters.

Amendment, by leave, withdrawn.

Main Question put.

(5.15.) The House divided:—Ayes 175; Noes 89.—(Div. List, No. 351.)

Ordered, That for the remainder of the Session the proceedings of the Committees of Supply and Ways and Means be not interrupted under the provisions of any Standing Order regulating the Sittings of the House, and may be entered upon at any hour, though opposed.

EXPIRING LAWS CONTINUANCE BILL.

On Motion of Mr. Jackson, Bill to continue various Expiring Laws, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 416.]

PUBLIC WORKS LOAN BILL.

On Motion of Mr. Jackson, Bill to grant money for the purpose of certain Local Loans, and for other purposes relating to Local Loans, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 417.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

1. £8,944, to complete the sum for the Lunacy Commission, England.

(5.27.) Dr. TANNER (Cork Co., Mid): Last night, just before 12 o'clock, this Vote was very nearly being taken, and I thought that if hon. Members had read the Reports of the Commissioners, which are full of the most distressing facts, they would not have been willing to agree to this Vote without making a strong effort to do something more for the benefit of the poor people dealt with by the Commission. One point to which I wish particularly to draw attention is

the large number of suicides that take place in the asylums, and I think the fact furnishes ground for believing that sufficient supervision is not exercised over the patients. A great number of these suicides have been allowed to take place in consequence of neglect. Another feature of the Reports is the extraordinary number of these unfortunate people who appear to get their ribs broken without any definite cause being distinctly proved to have brought about the result. The number of cases this year is about the same as last year. In every case, when it comes to be investigated, we find that there are chances of these poor afflicted people being treated with brutality by the attendants or warders. That in itself ought to cause us to demand some explanation. Take the case of "T.C.," a man aged 34 who was in the Cumberland and Westmoreland Asylum. That unfortunate man was subject only to slight seizures. He slept in the observation dormitory. One night he attempted to rise from his bed; an attendant rushed over and he fell back on the bed. The attendant held him for five minutes. It is said that no blow was struck, and that the patient did not make any complaint of ill-usage. Two hours later, however, he complained of pain, and he died soon afterwards. It was subsequently found that there was a rent more than two inches long in the intestines. Speaking as a medical man, I say that could not have been brought about without some severe injury being inflicted on this unfortunate man. There is evidently brutality at work in the wards of some of your asylums—brutality that ought not to be overlooked—and we ought to try by every means in our power to safeguard the well-being of these unfortunate persons. The next case occurred in the Kent County Asylum. The patient was 60 years of age. He had no injury of any kind on his admission to the asylum on the 14th of August. He died on the 20th of June. On the 21st a certificate of death was given to the effect that he had died from general paralysis, accelerated by fracture of the ribs and sternum. The jury found death was due to natural causes; but the injuries found on a *post-mortem* examination were the fracture of 12 ribs and the breaking in of the breast bone. In another case a man in the Rainhill (Lancashire) Asylum had nine ribs fractured. At Colney Hatch a man 79 years old had two ribs broken. There are a large number of these cases year after year. Then there are a number of patients who die from suffocation. In nearly all these cases they are supposed to be of suicidal tendencies, but still the deaths constantly occur, mostly amongst the epileptic patients. Most of the wards in the asylum in which epileptic cases are treated are too large as a rule. You find a number of cases this year in which these unfortunate people have been smothered in their sleep and the attendants in three or four cases have stated on oath they had seen their patients 10 or 12 minutes previously, and when they came the next time the poor creatures were dead. Well, that ought not to be, and I think the sooner some strong steps are taken in this matter the better. Then in all these Reports you find complaints made by the Commissioners of limited space. You find allegations made that there is an increase of lunacy, and, that being so, existing lunatic asylums have not sufficient accommodation, overcrowding follows, and disastrous results. Going through this book it is very evident there is a want of accommodation. Then, again, it is evident that the licensed houses where patients are allowed to be kept are not so much on the wane as they were when the first Act was introduced some three or four years ago, and that is a disadvantage. There can be no doubt, and I defy any medical man who goes into the matter and sees these places to deny it, that there is nothing to be said in favour of the private asylums as against the public asylums open to public inspection and looked after by public Trustees. I hope to see the day when there will be no such thing as a private lunatic asylum. I regret, however, to find that the number of private asylums is not decreasing. We find in the Report of the Commissioners that they only pay one visit in 12 months to some of these asylums. That is a lamentable state of affairs, and under it you certainly will have a laxity in the conduct of these asylums. Then I notice that in the average cost the

county asylums show a lower rate than the borough asylums, the county asylums average 8s. 7⅜d., and the borough asylums 10s. 1⅛d. per head. This is somewhat strange, for it seems to me that with an asylum in a borough the cost of all supplies should be less than in the country. Perhaps the right hon. Gentleman can throw a little light on the point. I know that Irish asylums do not come into this Vote, but I mention by way of illustration we have a large asylum outside Cork——

THE CHAIRMAN: This part of the subject is not under the control of the Lunacy Commissioners.

DR. TANNER: It is reported upon here in this Book, which is supposed to throw light upon the Vote with which we are dealing; but, of course, Sir, if you say it is not in order I will discontinue my argument, hoping that we shall have some explanation as to this difference in cost in counties and boroughs. Then I find the Commissioners express themselves against the practice in workhouses of appointing pauper attendants to inmates of unsound mind: There is much on this point calling for remark. In these workhouse asylums you find several instances of these poor people being struck by pauper assistants with fatal result. The Commissioners report very strongly against the employment of such assistants, and I hope we shall hear the last of the practice. It is better to have persons mentally afflicted under the care of persons who will treat the patient according to proper medical methods, and apply the proper remedies for different phases of the disease. On the evils of overcrowding, the Commissioners make many remarks, and they give numerous instances of asylums in many counties and boroughs where the accommodation is insufficient to meet the increasing requirements. There must be something radically wrong in your system when, year after year, the same complaints are made. We are sadly neglecting our duty in allowing these most afflicted of God's creatures to be treated in the way they often are. Much has been done, I know, in the past, but much remains to be done, as this Report shows clearly, by way of increased accommodation and supervision. Even with that magnificent institution at Earlswood the Commissioners find grave fault in this respect, and if in this noble institution, upon which money is fully lavished—I hope with good results—there are shortcomings, how necessary it must be that stricter supervision should be exercised over other institutions for these our unfortunate fellow creatures throughout the country.

*(5.53.) DR. FARQUHARSON (Aberdeenshire, W.): I do not take the pessimistic view the hon. Member does as to the position of lunatics in our asylums. Considering the difficulties under which it is necessary to do the work, and the amount of skilled assistance, I think the work is done extremely well. Charges, I think, are often made without foundation. No doubt such is human nature that you do find instances where a tantalised person in a moment of irritation vents his evil feelings on one of these unfortunate lunatics under his charge, but it is a question whether many of the deaths resulting from fractured ribs and other injuries are not inevitable. Mental disease, like any other disease, should be treated scientifically. It is necessary sometimes to apply mechanical restraint to check violence, and I am afraid it must unfortunately happen that the muscular struggles bring about accidents. The hon. Member, however, has done good service in calling attention to this Report, and pointing out the evils that undoubtedly exist under the present system of administration, fully recognised by the authorities, who press them year after year upon the custodians of the Public Purse. It is to be noted that in London the lack of accommodation is worse than elsewhere. There are nearly 3,500 pauper lunatics boarded out of London—sent away to distant parts of the country—and it is a hard thing to send them away from their friends and the civilising influences of home life which are brought to bear by the occasional visits of members of their family. But my object in rising was to draw attention to certain difficulties in the working of the Lunacy Act. It suggests sarcastic commentary on the work of the framers of the Act that even now, when the Act has been in operation only a year, it is found necessary to introduce an amending Bill. I am bound to say that if the Government had not treated with what I must call contemptuous

indifference the recommendations of experts, I think probably the evils would not have arisen. I followed the proceedings of the Committee upstairs and attended all the discussions in this House, and I must say that a good many of the evils that have arisen and brought matters to a dead-lock were predicted by those prophets who prophesied because they did happen to know. If the advice of experts had been taken, the difficulties which I do not think it is too strong an expression to use have brought things to a dead-lock in lunacy matters would not have arisen. We know that the Lunacy Act was passed because doctors were afraid to certify because of actions that might be brought against them, and the Bill was introduced in order that medical men might discharge their functions under the sanction of the Judicial Bench. It should be well known that in cases of lunacy it is important to act promptly. The idea is not yet credited that lunacy is some occult disease or evil spirit that enters into a man, as we are assured on good authority it is entered into the lower animals, that it arises not from natural, but supernatural causes. But those who have more knowledge of such matters must treat each case of acute insanity——

THE CHAIRMAN: The hon. Member appears to have missed the object of the Vote, the expenses of the Lunacy Commission.

*DR. FARQUHARSON: I am sorry to have travelled beyond proper limits. May I be allowed to direct my observations to the amending Bill to be introduced?

THE CHAIRMAN shook his head.

*DR. FARQUHARSON: I will simply ask the right hon. Gentleman whether it is intended to provide that all Justices are to have jurisdiction under the Lunacy Act? It is a difficulty in the way when exceptions are made, and it is necessary to act promptly; therefore, all Justices should act in lunacy matters. I think all the Justices of a particular county should act in these matters. I think, also, it would be well that no action on this subject should be brought against a medical man until the costs have been deposited in Court. I have in my mind one very hard case in which a well-known medical man was charged with certifying wrongly. The proceedings were undertaken by one of the class of pettifogging attorneys who take up these cases for the sake of what they can get out of them, and the Judge over-ruled what is, I think, the clear intention of the Lunacy Law, namely, that no case of the kind shall be brought until the costs have been deposited.

(6.2.) DR. TANNER: I wish to say that I made a mistake a short time ago. The institution I referred to was not a private asylum, but a hospital registered under the Lunacy Act. I think the question of alternative exits in case of fire should receive immediate attention, and also the question of the separate treatment of infectious diseases.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Committee ought to bear in mind that places for the reception of the insane are in the main places maintained by Local Authorities, or places conducted by private enterprise under strict supervision, and I submit that the whole tenour of the Report of the Commission shows there is increasing vigilance respecting the method of conducting these establishments, which is leading to continually improved results. The hon. Member for Cork (Dr. Tanner) has very properly drawn attention to the fact that in the past year there has been an increasing number of suicides, but the fact that there have been only 18 suicides out of 86,000 lunatic paupers cannot be dwelt upon as a matter which shows so grave a proportion as to indicate great defect in the administration connected with these cases. The hon. Member referred to the Barming Heath case, where the finding of the Coroner's Jury was unsatisfactory. I think that the review of that finding by the Commissioners is one of the very best justifications that could be given for the existence of the Commission, and for the retention of legal members upon it. As to the use of pauper inmates as attendants in workhouses, the Lunacy Act of 1879 has tended very much to diminish the number of insane persons who are found in workhouses, and, therefore, to decrease the evil of which he speaks. It is impossible here and now that we can go into minute discussions of particular cases, nor could that be done at any time without notice, but I

submit that the very existence of this Report, drawing minute attention to these points, and inviting the public to take an intelligent interest in the direction and control of the insane, entitles the Committee to conclude that the Commissioners have done their work during the past year so as to deserve the confidence of the House, while it shows that an approach to a more satisfactory and more perfect treatment of the insane is constantly being made.

*(6.7.) MR. MORTON: I should like to ask whether it is the duty of the Commission to see that the nurses and attendants do not work too long hours, and that sufficient holidays are provided in order to enable them to perform their duty to the poor patients in a satisfactory manner. I have had complaints sent to me to the effect that in some asylums attendants are not treated as they ought to be, considering the extraordinary nature of their duties. I do not wish to detain the Committee over this Vote, and I would not have troubled the hon. Gentleman but for the complaints that have been sent to me.

*MR. CREMER: I wish on this Vote to ask the same question as I have asked on other Votes, namely, what are the office hours of the clerks in this Office?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Six hours for the Upper, Sir, and seven hours for the Lower.

DR. TANNER: I take exception altogether to the reply of the hon. Member the Under Secretary for the Home Department. Anyone would imagine from what he said that I was exceeding my duty in calling attention to what absolutely appears in the pages of the Report. Are we to understand that, in the opinion of the Government, because matters are reported in these pages we are not to call attention to them?

MR. STUART WORTLEY: I said the hon. Member had most properly drawn attention to the cases that were reported. With regard to the question of the hon. Member for Peterborough (Mr. Morton), no doubt the Commissioners have a general power to do what is necessary in order to keep up the standard of efficiency, and this power will include the duty of seeing that the officials are not worked to excess.

*MR. MORTON: May I ask whether the Commissioners do make inquiries with regard to the hours of work of attendants?

MR. STUART WORTLEY: I will ask them.

DR. TANNER: I accept the assurance of the hon. Member. I hope the few remarks I have made will have the effect of producing some remedy with regard to the number of visits paid to the asylums by the Commissioners. I ask the hon. Member whether one visit in 12 months to such an asylum as Earlswood is, in his opinion, sufficient?

Vote agreed to.

2. £25,000, to complete the sum for the Mercantile Marine Fund (Grant in Aid).

*(6.15.) MR. BUCHANAN (Edinburgh, W.): In March last I asked a question of the right hon. Gentleman the President of the Board of Trade with regard to the erection of a lighthouse on Rattray Head on the north-eastern point of Scotland, as urged by the Northern Lights Commissioners. The right hon. Gentleman told me the Board had sanctioned the scheme. On the 13th of April he told me that the Board of Trade had asked for detailed plans, and if they were satisfactory the work would probably be commenced during the present financial year. I wish now to ask whether the work will be commenced this year? The Northern Lights Commissioners say they receive perfectly fair treatment when they can get at the Board of Trade, but they say the interests of the north coasts are not properly looked after because they have to go first to the Trinity House for grants of money, and can only go to the Board of Trade on appeal. In view of the crowded state of the English Channel, many ship-masters would take the northern instead of the southern route from the west to the east coast of England if it was better lighted. This is, therefore, not so much a Scottish matter as one affecting the welfare of the seafaring community all round the coast. I hope the right hon. Gentleman will give his attention to the subject.

*(6.20.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): We have received

from the Commissioners of Northern Lights the details of a plan for the Rattray Head light involving a cost of £15,200. The work is to be commenced soon, and £2,000 has been set aside for it during the present year. The erection of two other costly lighthouses in the same district is also to be undertaken. I do not admit the accuracy of the hon. Member's contention as to the unfairness of the allocation of the Mercantile Marine Fund. The amount of shipping in the northern seas is comparatively small compared with that in the English and Irish Channels, and in allocating the funds it is necessary to remember that the shipping pays for the lighting. The Board of Trade has every desire to establish lights wherever they are required for the purpose of navigation. In this spirit I have sanctioned these three new works in the last few years. I think that is a fair answer to the hon. Member's suggestion that the interests of the northern coasts are not fairly considered.

*MR. BUCHANAN: I did not impute unfairness to the right hon. Gentleman or the Board of Trade. I said the Northern Lights Commissioners thought they were perfectly fairly treated by the Board of Trade. Of course, the shipping going round the northern coast is comparatively small now, and it is to relieve the crowded and dangerous state of the English Channel that I am advocating the better lighting of the northern coast.

*(6.25.) SIR M. HICKS BEACH: I entirely agree with that view, and it is precisely with that object that I have sanctioned this expenditure.

DR. TANNER: May I ask how it is that we have not more lighthouses on the Irish coast? I think that some of the more important lighthouses in Ireland should have the electric light. I understand that a flashing electric light can be seen at a much greater distance than any of the oil or gas lights that are in use. The use of such a light would be of manifest importance to the shipping off the south-west coast of Ireland.

*MR. MORTON: Will the right hon. Gentleman tell us to what extent and with what success the electric light has been used on the British coast?

*SIR M. HICKS BEACH: The number of electric lights in use in lighthouses is not large; but that at St. Catherine's Point, on the south side of the Isle of Wight, is, I think, one of the best in the world. As to the electric light in Ireland, there has been a feeling on the part of the Irish Light Commissioners that gas is rather preferable to the electric light. Of the two places to which the hon. Member for Cork specially alluded, there is a very powerful and good gas light at Galley Head, and it would be practically impossible to establish the electric light at the Fastnets. I can assure the hon. Gentleman that the whole subject has been well considered.

Vote agreed to.

3. £48,686, to complete the sum for the Mint, including Coinage.

(6.32.) SIR G. CAMPBELL (Kirkcaldy, &c.): I rise for the purpose of expressing the hope that there will be no decrease in the use of half sovereigns. "Threatened men live long"; but I hope that half sovereigns are not even threatened. The Chancellor of the Exchequer has told us that it is a more wasteful coin—by wear and tear—than the sovereign. The half sovereign is a domestic coin, and a very useful one. It is used very little on foreign exchanges, and what I would suggest is that if the half sovereign is wasteful the difficulty might be met by debasing it—making it a token—for domestic use. Possibly that might be a gain to the Chancellor of the Exchequer. As regards the superscription upon the sovereign, we have been told that a committee is engaged in considering the question. With regard to the silver coinage, I hope there is no diminution in the use of the shilling. I should not like that, though I know tradesmen are very apt to count out change in the big silver, which discourages the use of the shilling. Then I hope the Chancellor of the Exchequer will tell us something of what is going to be done about the variety of the coinage. There can be no more perplexing coin than the 4s. piece, and I think it very desirable indeed that you should abolish it and the florin or half-crown, though I confess to a conservative feeling in respect of the half-crown, which is a piece to which I am partial. There is confusion among different classes as to the

silver coinage, and some simple people can be taken in.

*(6.37.) MR. SINCLAIR (Falkirk, &c.): I understand from a recent answer of the Chancellor of the Exchequer that the artistic question in connection with the coinage has been referred to a Committee from which, no doubt, it will receive full consideration. But I regret to find that a more important question has been referred to that Committee, namely, the necessity of having stamped on each coin its value, either in words or figures. I think the Chancellor of the Exchequer is scarcely aware of the very strong feeling which exists among the public in favour of each coin showing its value. I have not met a single person, with the exception of two Members of this House, who are not of that opinion. Last year I was pressed by others to obtain signatures to a Memorial, and in three days I obtained 150 signatures to that Memorial, which was to this effect—

"We, the undersigned Members of Parliament, desire to convey to you" (the Chancellor of the Exchequer) "our opinion that in all future Mint issues the coinage, whether gold or silver or copper, should have the value of each coin expressed."

Not only foreigners and Americans, but the people of the colonies have a difficulty in understanding our coinage; hence the necessity for them, as for our own people, to have the value impressed upon each coin. There is another matter to which I wish to shortly refer. The total amount of our gold coinage is variously estimated by statisticians at from £100,000,000 to £120,000,000. That estimate, by a late estimate of Mr. Giffen's preparation, is reduced to something like £75,000,000. Now, that is a very much smaller amount than has been generally supposed to be current throughout the country, and I should like to know whether that includes the amount in the hands of the Bank of England and of other bankers, or only that which, as the Chancellor of the Exchequer said, is popularly supposed to be in the pockets of the people? If the amount of gold is so small it is imperative that steps should be taken to increase the gold reserves of the country.

THE CHAIRMAN: This is entirely out of order.

*MR. SINCLAIR: I shall not continue the matter further, and I hope I may be able to get a simple answer to the questions I have raised.

MR. COGHILL (Newcastle-under-Lyne): The Chancellor of the Exchequer obstinately refuses to put the value not only on silver coinage, but all kinds of coinage. Exactly the same question has arisen in America, but there the Government do not entrust to the discretion of a Committee whether the value shall be stated. I think it is difficult to understand why the Chancellor of the Exchequer refuses to state the value on all coins.

*MR. GOSCHEN: I do not.

MR. COGHILL: Then I hope he will allow the value to be stated. With regard to our colonies, they have the word "sovereign" expressed on that coin. I think the Chancellor of the Exchequer ought to be prepared to take lessons from the colonies. The Chancellor of the Exchequer, himself shortsighted, should consider shortsighted people in this matter. There were frauds in connection with the Jubilee sixpences, which had not their value expressed, by gilding them over and passing them as half-sovereigns. If the words "half sovereign" had been expressed such a fraud could never have been committed. At night, if the sovereign is worn, it is difficult to distinguish it from a half-sovereign. I certainly hope there will be no further issues of the 4s. piece; and I would point out that in a great number of the country districts there is a great scarcity of change. It is difficult to get change for a sovereign at the present time.

*(6.48.) MR. CAUSTON (Southwark, W.): The hon. Gentleman must be under a delusion. I do not understand that the right hon. Gentleman is obstinately refusing to put the value on coins, and that all he has done is to relegate to a Committee the consideration of designs. I distinctly understood the Chancellor of the Exchequer also to say that he would withdraw the 4s. piece. But now these questions have been raised, I think it is very desirable that we should have a definite answer from the Chancellor of the Exchequer, because hon. Members who take an interest in this question quite understood that he was quite willing to have the value expressed.

MR. J. PARKER-SMITH (Lanark, Partick): The bronze coins have not yet

been mentioned, and I want to know whether the Committee has power to consider that coinage. The bronze coinage, though half the weight of the copper coinage of former days, is still far too heavy, and I would suggest to the right hon. Gentleman the propriety of considering whether nickel coins, which have proved so satisfactory in Germany, could be substituted for bronze?

*MR. MORTON: I have been requested by my hon. Friend to ask what are the hours of the different classes of workmen in the Mint, and also what are the working hours of the clerks, or rather the hours during which they attend. Then I should like to know why the amount of the wages for piece and time work has been increased by £6,500, and why subhead B has been increased by £4,000. As to the question of our coinage, it would be well if we had the good sense to do what many of our colonies have done, that is, to adopt the decimal system. With regard to the supply of silver coinage to the colonies. I see there is an increase of from £2,000 to £3,000 on that account. I should like to ask why the Imperial Funds should be at an apparent loss for conveying silver coinage to our colonies?

*MR. GOSCHEN: The increases to which the hon. Member refers are due to the extra amount of work done at the Mint, involving an increase of wages. There is also an increase of charges through the Government having undertaken the transmission of silver from London to the provinces. It was found that the bankers were not much inclined to pay the cost of such carriage, and the consequence was that silver was not supplied in sufficient amount to the provinces. The Government undertook to pay the charge, which was about a quarter per cent., and the result has been an increase of the profit from silver of £600,000. I think the hon. Member will admit that that is a very good profit for the small expense incurred. I cannot give any pledge with regard to the half-sovereign beyond saying this, that I do not propose to effect such an economy in its use as would be an inconvenience to the public. But often hon. Members will have experienced that in getting change they get more half-sovereigns than sovereigns. As to debasing the half-sovereign, though it is a step which might be taken, I do not think it is one which I should be prepared to take myself. I certainly have no intention whatever of diminishing the use of the shilling. The more shillings there are in circulation the more convenient it is to the public. The hon. Member complained that there is not enough silver in the provinces. Over and over again I have explained that the Government have no means or no power, except in the payment of their own *employés*, to stimulate the circulation of any particular coin. The only reason why shillings are not more fully in circulation is that people do not ask for the coin in change, while tradesmen find it easier to give change in florins or half-crowns. As to expressing the value of each coin on its face, the hon. Member opposite said he had obtained the signatures of 150 Members to a Memorial. It is extremely easy to obtain signatures, especially under the fascination of my hon. Friend. But I myself have not received letters from more than three or four Members since I held office urging me to adopt the view of expressing the value upon each coin. Seeing the interest which is taken, however, in the subject by hon. Members, I shall give every consideration to the representations which have been made in this House before coming to a decision. I confess I should have thought a poor man would be able to distinguish between a florin and half-crown with the greatest readiness, and as to the half-sovereign and sovereign, I can tell my hon. Friend that, though short-sighted, I could distinguish between them by touch in the dead of the night. I believe a particular class of our fellow-subjects pocket the sovereign or half-sovereign without looking at it, knowing, even as it passes through their hands, what has been the generosity of the man who gives the coin. I notice the importance which the House attaches to this question, and I shall give full consideration to their representations, though I give no absolute pledge that the course which they propose will be pursued. With regard to the Committee, artists are engaged in preparing designs for their consideration, and it will rest with them to consider what will be the convenient denomination of the coins. I am not prepared to say that I would

substitute nickel for bronze coinage. There is nothing about which the people of England are more Conservative than their coins, and I certainly should not, without the very gravest consideration, be prepared to substitute nickel for our present bronze coinage.

*(6.54.) MR. SINCLAIR: Can the Chancellor of the Exchequer say when the Committee are likely to report?

*MR. GOSCHEN: I think they will report by October.

*MR. SINCLAIR: Will the 4s. piece be withdrawn?

*MR. GOSCHEN: No more will be issued.

SIR G. CAMPBELL: The right hon. Gentleman confirms what I have said as to the difficulty of getting change. Will the 4s. piece be withdrawn?

*MR. GOSCHEN: As they come into the Mint they will be withdrawn.

SIR G. CAMPBELL: Will the right hon. Gentleman discontinue the florin?

*MR. GOSCHEN: The half-crown was discontinued at one time; but there was general desire for its re-introduction. Both the florin and the half-crown are extremely useful on occasions.

SIR G. CAMPBELL: What I would suggest to the Chancellor of the Exchequer is this: The present 3d. piece is so small as to be inconvenient, and could not the right hon. Gentleman substitute a nickel coin which would be useful in giving change for 6d., when perhaps only a penny is to be taken for a newspaper, and when to receive 5d. in copper in change is exceedingly burdensome to the purchaser. I think a nickel coin to take the place of the 3d. piece would be exceedingly useful?

MR. JACKSON: In reply to the hon. Member for Peterborough I may say that the hours of the clerical staff are seven daily.

Vote agreed to.

4. £9,031, to complete the sum for the National Debt Office.

5. £6,749, to complete the sum for the Public Works Loan Commission.

6. £14,532, to complete the sum for the Record Office.

7. Motion made, and Question proposed,

"That a sum, not exceeding £44,530, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Department of the Registrar General of Births, &c., in England."

(7.4.) DR. CLARK: Some years ago I asked the Government to bring in a Bill repealing 6 and 7 Will. IV., chap. 6, under which £21,207 is paid for Registrars, because it is inequitable to compel the Scotch people, who pay their own expenses in this respect, to also contribute towards the expenses of England. This is the third of the three grievances which I have announced my intention of taking a Division upon. It is of no use for private Members to introduce a measure for the repeal of this Bill, because so little of the time of Parliament is placed at their disposal. Therefore the only way to get it done is through the Government, and, in order to induce them to take up this question, I shall move the reduction of the Vote by £10,000.

Motion made, and Question proposed, "That a sum, not exceeding £34,530, be granted for the said Service."—(*Dr. Clark.*)

MR. GOSCHEN: I trust the hon. Member will not press his Motion to a Division. He has made his protest. He knows that nothing can be done now to pass such a Bill, and therefore I hope he will save the time of the Committee.

DR. CLARK: In previous years I have taken 20 or 30 Divisions, but this year I promised to take but three. That would not have been necessary had the Government given me one night for the discussing of the whole of these questions. Through the Ballot I secured two nights, but the Government took them both. I might repay them by taking 30 Divisions, but I want the Session to end as quickly as possible, and therefore shall content myself with three Divisions. I deem it necessary to place this protest on record.

(7.7.) The Committee divided:—Ayes 74; Noes 118.—(Div. List, No. 352.)

Original Question again proposed.

(7.18.) MR. LLOYD-GEORGE (Carnarvon, &c.): On this Vote I wish to raise a question as to the Census in

Wales. There was a special provision in the Census Act that the papers should contain a column with a view to ascertaining the number of the Welsh-speaking population. Now, not only has the spirit of the Act been evaded, but so also has the letter. We put a series of questions to the President of the Local Government Board three months ago on this subject, and we called attention to the omission of the language column. The Secretary to the Local Government Board promised that steps should be taken to remedy the defect. I have not discovered, however, that anything has been done. In addition to the omission of the language column, I find that in many Welsh-speaking districts, such as Denbigh, Anglesey and Merionethshire, the great majority of the papers distributed were in English; and hence the only way in which the people could discover what was wanted of them was by seeking the aid of some neighbour who understood English. The papers were probably filled in by some one else. In one case I found that out of 750 papers distributed in a Welsh-speaking district, in which probably the the number of resident English people did not exceed 30, only 50 or 60 were printed in Welsh, and in another case, out of 1,000 papers distributed, only 200 papers were printed in Welsh. It is monstrous that in districts known to be Welsh-speaking the papers should have been in the English language, and without any sort of direction to the people in Welsh. I shall move a reduction of the Vote. This is not merely a sentimental matter; it is one of great practical importance. The representatives of Wales in this House have constantly urged successive Governments to appoint Welsh officials in County Courts and other public offices in the Principality. Where the great majority of the people speak Welsh, and Welsh only, it is only proper that the public officials should understand the language. We wished the census to be taken in such a manner as would elicit the facts on this matter, we wanted to find out how many of the people were Welsh-speaking, but the returns will not help us. My hon. Friend the Member for Denbighshire recently brought before the House the question of appointing a Welsh-speaking Inspector for the collieries in Wales, and the Home Secretary on that occasion admitted that it was practically impossible for an Englishman who did not understand Welsh to elicit from the workmen full information as to the facts of an explosion or a breach of the Mines Act. As the Census Returns have not been taken in such a way as to enable us to get the information we desired, I beg to move the reduction of the Vote by £5,000.

Motion made, and Question proposed, "That a sum, not exceeding £39,530, be granted for the said Service."—(*Mr. Lloyd-George.*)

(7.26.) MR. T. ELLIS (Merionethshire): We have to complain that the officials of this Department, the enumerators in various districts, have not carried out the concessions which the President of the Local Government Board so courteously promised us last year. As soon as we explained our wishes on the matter, the right hon. Gentleman placed Wales on the same footing as the highlands and islands of Scotland, and arranged that a column should be provided in the Census Papers for those persons who speak Welsh, while papers printed in Welsh were to be distributed for Welsh-speaking people. It is of little use for the Welsh Members to secure concessions from the Government if they are to be set aside in this way by the officials. Owing to these omissions the Returns are unreliable. For instance, I consider that in my own county of Merionethshire the omission of the language column was most injurious as regards the reliability of the Census. I have received a great many representations from my constituents on this subject. The cases quoted by my hon. Friend are not isolated cases. There were numerous and flagrant cases as we know throughout North Wales, and I have no doubt many occurred in the sourthern part of the Principality. It seems to me that the whole purpose of Parliament and the whole value of the concessions of the Government have been defeated by the neglect of the officials to do their duty, and consequently the Census will be unreliable and inaccurate. The Government promised to take steps to rectify the omission, and I hope we shall to-night be told what has been

done in this direction, and with what result.

*(7.30.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I regret that I did not receive some notice that this question would be raised, because in that case I might have been able to obtain detailed information. The complaint is twofold. The hon. Member for Carnarvon places the greatest stress upon the fact that there was not a sufficient number of papers printed in the Welsh language, and the hon. Gentleman who has just spoken lays the greatest stress on the other point, namely, that there were papers distributed in Wales with only one language column. I think that the mistake is much more important in the one case than in the other.

MR. T. ELLIS: Both mistakes are important.

*MR. RITCHIE: I acknowledge the importance of both, but I agree with the hon. Member for Merioneth in attaching greater importance to the mistake in regard to the language columns. In regard to that the instances given by the hon. Member for Carnarvon were very limited. The hon. Gentleman mentioned two or three parishes in which there had not been a sufficient number of papers with two columns distributed. When each of those cases was brought to my notice I communicated with the Registrar General, and he undertook that the error should be at once rectified. I have received no further complaint and therefore I presume the error has been rectified. I am sure there was every desire on the part of the officials to carry out the undertaking I gave last year. If there has been a mistake made it has been from no desire to frustrate the wishes of hon. Gentlemen, and I am sure that in the multiplicity of details it is quite intelligible there may have been an error committed in one or two cases. No doubt, in some places there was a want of supply of papers printed in the Welsh language, but how did that arise? The demand in some places was greater than could reasonably have been expected. Hon. Members from Wales knew that an effort was made to get the Welsh people to use the Welsh form. I make no complaint, but I think a good many Welsh papers were used when English papers would have done just as well so far as a knowledge of language was concerned. So long as the real object was attained, and it is not contested that it has been, I do not think it matters whether the Return was made on Welsh or English papers. I admit that the supply of Welsh papers ought to have been as great as the demand. The experience of the taking of this Census will undoubtedly lead to fewer mistakes on future occasions. My own firm belief is that no real injustice has been done, and that any real mistakes that were made were rectified.

*(7.38.) MR. G. OSBORNE MORGAN (Denbighshire, E.): There is no desire to make any complaint of the right hon. Gentleman personally, but I am bound to say I have received a good many complaints from Denbighshire that no Welsh papers were distributed. The consequence was that many people really did not know what they were doing. A Census taken under such circumstances is a perfect mockery, and is not worth the paper on which it is taken. Under the circumstances, the Census Returns will lead people to believe that there are far fewer Welsh-speaking people than there really are. The right hon. Gentleman says that in future care will be taken to avoid such mistakes, but considering that ten years will elapse before the next Census is taken, that is rather cold comfort for us.

(7.39.) MR. LLOYD-GEORGE: I apologise to the right hon. Gentleman for not giving him formal notice. I certainly thought notice was given at the time questions were asked across the floor that the question would be raised in Supply. The reason why I laid more stress upon the absence of Welsh papers than upon the omission of the double column was that according to my information there were very few cases where the language column was omitted altogether. But there was hardly a parish in Wales where the supply of papers in Welsh was not sadly less than it ought to have been. I only mentioned two or three parishes, because I did not wish to weary the Committee with reading a long list of names. I have here a list of 20 or 30 parishes in which the supply of Welsh papers was insufficient. There is one little mountain village in which

there are 50 houses. I believe there are there between 30 and 40 householders who cannot speak a word of English, and yet only two or three Census papers in Welsh were distributed there. I think it is highly probable that the real object of the Census has not been attained. I therefore must press my Motion to a Division as a protest against the way in which the Census was taken in Wales.

*(7.42.) MR. MORTON: I am glad to hear that my hon. Friend intends to go to a Division. The old English practice of insulting small nationalities has been pursued in this case. Much material harm may not have been done, but such proceedings as these create bad feeling between the different nationalities. The Prime Minister insulted the Irish people by calling them Hottentots, and insulted our Indian fellow-subjects by describing one of them as a black man. The Scotch have not fared so badly. I suppose that Bannockburn is not quite forgotten. The Welsh people have not been fairly dealt with, and I protest, as the Representative of an English constituency, against any insult being offered to the smaller nationalities either in regard to Census papers, or religion, or anything else.

*MR. BROOKFIELD (Sussex, Rye): I desire to ask the right hon. Gentleman if he can inform us when the Census Returns for England and Wales will be published? Some partial information relating to special localities has already been divulged, and the result is that an erroneous impression prevails outside the House that the whole Returns are published. This has caused a certain amount of inconvenience.

Mr. RITCHIE: The last sheets of the Abstract have gone to press, and I think copies will be distributed to the House this week.

(7.44.) The Committee divided:—Ayes 46; Noes 87.—(Div. List, No. 353.)

Original Question again proposed.

*(7.55.) MR. WOODALL (Hanley): In the Vote now before the House a considerable sum is included for the expenses of Superintendent Registrars, and among other things for collecting certified copies of marriages from the clergy. The careless, unskilful, and untrustworthy manner in which marriages in the Established Church have been registered was matter of notoriety. I would like to know what amendment has been effected, and how far such amendment has been accomplished, by the intervention and supervision of the Registrar General and his staff of officers throughout the country. Can the right hon. Gentleman give us any information as to the manner in which the registration of marriages is now conducted? I know that the attention of the office has been given to the subject with the object of securing some improvement in the system, and I believe there are fewer cases of complaint than there were a short while ago.

*MR. RITCHIE: The hon. Gentleman has answered his own question. The duty of the Registrar is now performed in a manner more satisfactory to those concerned, and there are fewer complaints. I shall be happy to give the hon. Gentleman any information I can in answer to a question if he will give notice, but, as I daresay he is aware, the details of these matters do not come under my immediate supervision. I shall be glad to give him any information he desires.

*MR. WOODALL: I should have liked to have known how far pressure has been applied by the Local Government Board, and with what result? I will avail myself of the right hon. Gentleman's offer, and will endeavour to bring out the facts in another way.

*MR. CREMER: Before we pass this Vote, may I ask how many hours are worked by the clerks in the Registrar's office?

MR. JACKSON: Seven hours.

*MR. MORTON: Allow me to call attention to an entry here, or rather the absence of an entry. Last year there appeared an entry of £20 allowance to purveyor of luncheons, but nothing appears this year. This shows, I think, that such items can be taken out of the Accounts, although yesterday the right hon. Gentleman seemed to think it was impossible to do without them.

MR. JACKSON: I did not say impossible; I said for convenience they were inserted.

Question put, and agreed to.

8. Motion made, and Question proposed,

"That a sum, not exceeding £369,005, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Stationery, Printing, and Paper, Binding, and Printed Books for Public Departments, and for the two Houses of Parliament, and for the Salaries and Expenses of the Stationery Office, and the cost of Stationery Office Publications, and of the Gazettes; and for Sundry Miscellaneous Services, including the purchase of Parliamentary Debates."

(8.0.) MR. A. E. PEASE (York): Upon this Vote may I call the attention of the Secretary to the Treasury to a complaint of provincial printers that they are shut out from any share in the Government printing contracts, in consequence of a clause in all the Schedules of specifications which have come to my notice requiring that the work shall be executed in London. I can understand that there are certain classes of work must be done in London, but there is also a great deal which might be economically and equally well done in the country, for instance, telegraph forms and other forms. It is only fair, I think, that country printers should have a chance of tendering for Government work, which they could do equally well with London firms. I do not move a reduction, but I hope the right hon. Gentleman will concede this point.

MR. JACKSON: There is not the slightest objection to meeting the hon. Member to the fullest extent. The Stationery Office would be only too glad to obtain additional competition in tenders. The hon. Member is mistaken in supposing that none of the Government work is done in the country. The clause to which the hon. Member refers, if I remember aright, merely requires that the printer shall have an office in London. That, of course, is a matter of convenience, because frequent communication has to be made between a Government Department and the contractor. As a matter of fact, a large portion of the work has been actually done in the country. I shall be most happy to carry out the hon. Member's wish.

DR. TANNER: I propose to move a reduction of £200 in the salary of the Controller, in order to call attention to a matter which I referred to a short time ago by question, and which I wish to seriously press. I find in the Telegraph Office in this House, and in several, if not all, telegraph offices a bad, a stupid, and exasperating kind of German pencil is being used. Since I raised the question I have found there is very general complaint of this, and I have been inundated with letters on the subject. When I put my question, the right hon. Gentleman answered me with an unnecessary curtness, not at all characteristic of him. I am not a neophyte in these matters, and I have always found that when the Government have a bad case to meet in Committee of Supply they confine themselves to a bald and curt reply to a question. But I want to know why this boycotting of an English industry? Surely the Government know that for a long time the lead pencil manufacturers in this country have been in far from a flourishing condition. How is it that they are not given fair play? I have letters from persons in the trade who formerly supplied Government Departments, and it appears from what they write that they have been deliberately boycotted in favour of German goods. I consider it my duty here to say a word in favour of promoting native industries. Our Home Rule principles in Ireland induce us to do this as far as we can with Irish manufactures, and undoubtedly when the Government find that a particular English industry is depressed they should do what they can to encourage it in its difficulty. I should like to know the terms of the contract upon which these German pencils are supplied from Bavaria. I have letters from English firms which formerly supplied the Government with pencils, and I am informed that on the last occasion when tendering their samples were returned to them unopened. Now I think that indicates that fair play is not given to the English competitor. I should prefer that an English Member should take up a matter of this kind as being more concerned with the working classes in their constituencies. Things of this kind show that the interest of the Government in the welfare of the working classes is not altogether sincere. Unless I get a more satisfactory answer than I have had I shall certainly carry my Motion to a Division.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £200 part of the Salary of the Controller."—(*Dr. Tanner.*)

*(8.6.) MR. MORTON: I desire to support this reduction. I listened to the answer given by the right hon. Gentleman the other day with astonishment and indignation. I gathered from that answer that the Government found it impossible to get these pencils in Great Britain.

MR. JACKSON: I did not say so.

*MR. MORTON: I gathered as much from the answer given, though, perhaps, the right hon. Gentleman did not intend to say as much. Now, if we cannot in this country produce lead pencils good enough for a Government Department then we had better shut up business altogether. It seems to me the Government have gone out of their way in this small matter to promote the foreign against the English manufactured article. I say nothing against fair foreign competition, but I protest against a predilection in favour of things German being carried out to such an extent as this. I hope the Motion will be carried to a Division, for the names will indicate who are the Members who are in favour of encouraging the foreign against the British article.

MR. JACKSON: I am afraid, after the testimony of the hon. Member, there must have been something in my answer the other day which certainly I did not intend to convey. The facts are these: The Stationery Office called for tenders, and, as a matter of fact, these pencils to which reference has been made were supplied by an English firm. A number of samples were put before the Post Office authorities, and they selected those which in their opinion were best suited. I do not suppose they knew whence the pencils were supplied.

DR. TANNER: Each pencil has the manufacturer's name stamped upon it.

MR. JACKSON: I am quite aware that under the Merchandise Marks Act the pencils imported have to be marked. Tenders with samples were offered, and the most suitable tender was accepted; that is the whole story. The objects in view were, first, to get the kind of pencil which best suited the requirements of the Department; and, secondly, to get it as cheaply as possible. If the hon. Member for Mid Cork will give me some particulars about the samples which are said to have been returned unopened I will institute inquiries on the subject.

(8.12.) DR. TANNER: I will only ask the right hon. Gentleman if, on going into a telegraph office to send off a telegram, he does not invariably take out his own pencil, because he knows perfectly well it is impossible to write with the official pencil supplied? Only yesterday a gentleman remarked to me it was an unnecessary precaution tying up these pencils, because nobody would attempt to appropriate the thing unless he wished to perpetrate a malicious joke upon a friend by tempting him to write with this indescribable pencil. However it came about, you have got about the worst article you could get. I have several letters from gentlemen who state beyond doubt these samples were never opened; and I say there is every reason to suppose there is some jobbery in connection with this matter, and that the British manufacturers have not been treated fairly.

*(8.15.) MR. CREMER: I desire to enter a protest against the doctrine that the Government are justified in buying in the cheapest market irrespective of other considerations. I know that is an old doctrine of political economists; but when we consider the inhuman conditions under which the working classes in Germany live, working for 14 or 16 hours a day at half the wages paid to our operatives, I say that the Government ought not to support such a state of things by continuing to buy goods produced under such conditions. I know there is a great deal of talk on public platforms about the protection of native industries; but when these professions are put to the test they prove to be worthless. By way of illustration I may mention that in this building it was, until recently, impossible to obtain a British-made cigar from the Refreshment Department. We had to pay 6d. for a cigar, a high price for the poorer Members of this House, and the justification urged was that a foreign cigar could not be obtained for less. So that even here among the champions of native industry it was impossible to obtain a cigar of

British manufacture. We have them now, but they are miserable things; and we do not get better, I suppose, because they would prejudice the sale of the foreign made article. I only mention this as an example of the hypocrisy there is among those who pose as the champions of native industry. I have no objection to goods being obtained from France, Germany, Italy, or elsewhere if a clause is inserted in every Government contract that goods supplied to them should be manufactured by workmen who receive such wages as enable them to live under decent conditions of life. This view workmen are very apt to take; it finds expression outside this House, and will more and more find expression in the House. If such a condition was insisted upon it would check the importation of these German pencils produced under the conditions to which I have just now referred.

*(8.19.) MR. MORTON: I am not at all satisfied with the answer of the right hon. Gentleman as coming from a Tory Government professing a desire to protect the interests of British workmen. I think you ought not to accept tenders at all from German manufacturers. Get the goods as cheaply as you can consistently with the workmen being paid proper wages, and there should be no occasion to have anything to do with foreign manufactures. If the right hon. Gentleman carries out his principle of getting everything in the cheapest market, there must be considerable reductions in the Stationery Office and every other Department. He can get German clerks at a third of the salaries now paid, and I have no doubt from the same source we could obtain a Chancellor of the Exchequer and a Financial Secretary at a much lower income than we think it right to pay. I shall vote for the reduction as a protest against this Germanising tendency — as a protest against the exclusion of British work, and in favour of fair play being given to our own workmen.

*(8.20.) MR. JORDAN (Clare, W.): I rather sympathise with the right hon. Gentleman in endeavouring to obtain the best contract, but the question is, have we got the goods we contracted for? I think we must all admit, if we have had experience of these pencils, that we have got a very bad rubbishy article, and such as certainly should not have been introduced into the Public Service. If the Post Office consider the pencil well fitted for its purpose, then there is little credit to their judgment. I have visited the works of the Keswick manufacturers, and I confess I felt some sympathy with them in the depressed condition of their trade since they lost the Government contracts. I found they supplied good value for money. I bought a quantity of them for my own use, and I think that pencils good enough for commercial purposes ought to be good enough for a Government Department. Certainly the Department ought to get good value for money, but they should see they get the article contracted for.

DR. CLARK: If my hon. Friend goes to a Division on this question I am afraid that I must support the Government. It is a pity the right hon. Gentleman the President of the Board of Agriculture and the right hon. Member for Thanet are not here; they would be delighted with the arguments used, and might think from the remarks of the hon. Members near me that they might have an opportunity of going back to their first love. For my part, I am perfectly satisfied with the answer of the right hon. Gentleman—that he deals in the cheapest and best markets. The arguments of the hon. Gentleman near me, if carried out to their logical conclusion, would land us again in Protection. In the American Congress I have heard Radical Members who go in for Protection use the very arguments employed by my hon. Friend, but here I think the Radical Party adopt the principle of Free Trade. If you go back to Protection you must give it general application, and, of course, apply it to our biggest industry—agriculture—with the consequences. I am surprised that the hon. Member for Shoreditch should come out in this new character.

*MR. CREMER: I will not waste the time of the Committee in breaking a lance with the hon. Member, nor do I think it is seemly that we should enter into a personal controversy. The majority of the working classes in this country are Free Traders, and they have not the slightest desire to prevent foreigners from sending their goods to

this country. What they do insist upon, however, is that those who manufacture the goods that are imported into this country should live under decent conditions. When you buy pencils from a manufacturer who keeps his people at work some 16 hours a day and pays them half the rate of wages paid in this country, I say the conditions of life for these people are intolerable, and this is what the working classes here object to. I reiterate the expression of my opinion, which is not shaken by the observations of my hon. Friend.

(8.25.) MR. CALDWELL (Glasgow, St. Rollox): Let me point out to the hon. Members who favour a protective policy that no country is more dependent upon Free Trade for its prosperity than England, because if we shut our doors against foreign goods foreigners will close their markets to ours, and we shall be the greatest losers. It has been said that we cannot compete with the long hours of work on the Continent; but that, I think, is a mistake, for we have the advantage of large capital and appliances, and the command of trade, and can work shorter hours. If it were a question of shutting out foreign competition, I should vote against the hon. Member who has moved this reduction, but I agree with him as to the inferior quality of the pencils supplied; we know it from our own experience. Therefore, if I vote against the Government on this question it will be because the foreign goods which the Government have purchased are of an inferior quality. If Englishmen have fair play they can produce a better article at a lower price than can be obtained abroad. We need not fear because here and there on some small point foreign competition gets the better of us; our capital and appliances, and our command of trade ensure us an advantage generally. If the right hon. Gentleman wants any assurance as to the justice of the complaint against these particular pencils, he has only to go into a telegraph office and try to use the pencil provided for public use. But, of course, he, like most of us, uses his own pencil. A saving to the Estimates results perhaps, but I do not think this is an advantage to the Public Service.

*(8.28.) MR. MORTON: I must protest against the hon. Member for Caithness bringing in the question of Free Trade and Protection. I am, and have always been, a Free Trader, but this is not a question of whether goods are of English or of foreign manufacture, but whether they are of good or of bad quality.

MR. WALLACE (Edinburgh, E.): I wish to explain that the reason I intend to vote against the Government on this question is because I believe that the Government have purchased not alone in the cheapest, but in the worst market. These pencils are universally condemned as bad, and it does not follow that because the price is low the goods are cheap. You may buy in the cheapest and in the nastiest market, and the statement of the right hon. Gentleman is a mere travesty of the doctrine of Free Trade.

(8.30.) The Committee divided:—Ayes 32; Noes 85.—(Div. List, No. 354.)

Original Question again proposed.

(9.10.) DR. CLARK: I have to congratulate the Treasury on the reduction of this Vote, and I think that if the First Lord of the Treasury were more careful and less mechanical in regard to the printing of Amendments to Bills which cannot possibly be reached on many of the days on which they are put down, a few thousand pounds extra might be saved. The contract for publishing what is known as *Hansard* is now ended, and the Hansard Publishing Company has ended with it. I protested against the contract made with that company at the time it was entered into, and I protest against any other contract of a similar character being made. I know that the majority of the Committee was in favour of the view carried out by the Treasury, and also that the hon. Member for Northampton (Mr. Labouchere) was a strong supporter of it, while the hon. Member for the Scotland Division of Liverpool suggested the course which has been adopted in the House of Lords. For my own part, I do not care whether we have a special report of Parliament or not. I am perfectly indifferent on that subject. We have the *Times*, which gives a very fair report, and a very full report, and we have the local papers in various parts of the country which give fuller reports of particular Members, so that those persons who desire fuller re-

ports than are given in the *Times* are able to get them. Therefore, I say I am not particular whether we have a special Parliamentary report or not. What I do say is, that if you want to have a full report, you ought to have an accurate report. Year after year Hansard's Company have sent to me reports of my own speeches and I have chucked them into the waste paper basket unopened, because I have not wished to be troubled by going through them. *Hansard* condenses what is said to about one-third, and it is utterly impossible to do this without a great many inaccuracies. If a thing is worth doing at all it is worth doing well. We ought to have an accurate report and a full report if we are going to spend public money for such a purpose. Of course, it suits those who have the control of these reports to take them from the local papers and re-produce them. They are catering for outside people, and, therefore, they give full reports where they think it will assist them, and they condense them where they think it desirable to do so. They are, in fact, merely trying to sell their wares. I happen to know something of the gentlemen with whom the Treasury made this contract, and who have used this as a lever for taking over Hansard's Company and a great many other companies, and I know also that a great many Members of this House have lost a considerable amount of money in this business. The Hansard Publishing Company offered to do for nothing that for which we have previously been expending £5,000 a year in the shape of subsidy, not because they could make a profit out of it, but because by getting the contract they would be able to throw dust in the eyes of the country, and induce people to believe that with their £1,000,000 at their back they were doing something very good. Their contract, however, will end with this year, and a new contract will doubtless be made by the Treasury. I want to know from the Secretary to the Treasury what course the Government intend to take in regard to this matter. Is it intended to put the reporting to contract again, and accept the lowest tender, permitting the speeches to be condensed to one-third of their real length, which, as I have said is the present system—taking a word here and there, very often without making sense of it. If the Government propose to do that, I shall take every opportunity of opposing it, unless the feeling of the House is with them, or a Select Committee recommends such a course, in which case my action would be useless. If the Treasury intends to revert to the system which existed years ago, or to carry on the system that has prevailed during the last three years, it will be a waste of public money, and I shall go dead against it. I think the general feeling is that we should have a full report which ought to be an accurate one, and that there ought to be no question of sweating in the production of the report. A short time ago the gentleman who edits these Hansard Reports sent round a circular, in which he suggested that there should be two contracts, one for the reporting and the other for the printing. I do not know that that would be a wise system to adopt, because it would afford the Secretary to the Treasury the opportunity of saying, when any complaint was made, that this or that was due to the printing, or, on the other hand, that it was due to the reporting. I think the right hon. Gentleman ought to be responsible for both the printing and reporting. I can only repeat that I am glad there has been a reduction in this Vote, and I think it would be well if the Government were to adopt the suggestion I have made and refrain from printing so many pages of controversial Amendments relating to Bills which have no opportunity of being discussed, on many of the occasions on which they are put down. I should also like to know what the Treasury propose to do in reference to the *Hansard* contract.

(9.20.) MR. ROBY (Lancashire, S.E., Eccles): There is one point I wish to bring before the House, and that is with reference to the absence of the Law Reports from the Library. It seems to me exceedingly desirable that hon. Members should have access to those Reports. Doubtless the answer that will be given is that they can be obtained from the House of Lords, but I must point out that the House of Lords is not always sitting. Moreover, it does not sit either so early or

so late as we do, so that during a considerable portion of the time we are sitting we may be unable to obtain such volumes as we may require. Those who are in the habit of consulting the Law Reports know that they are constantly obliged to consult earlier cases, and this necessarily involves repeated references to the different books. I submit that as a question of practical convenience hon. Members ought to have copies of the Law Reports in the Library of this House. No doubt the lawyers are able to obtain access to the Law Reports at the Lincoln's Inn or Temple Libraries, but those who, like myself, do not have access to those Libraries have no means of getting at the Reports. Doubtless we might go to the British Museum, but that would hardly be a very convenient course. I would therefore suggest that, as these Law Reports contain what the Judges lay down from time to time as the law of the land, it is necessary that those who are engaged in legislative duties should not only have their own children by them, but should also have access to those belonging to the other branch. It may be said that it would be difficult to find room for these Reports, but I do not think the Librarian would find much difficulty in affording the requisite space. I hardly know what answer the Government may give to me. I certainly think the question of expense would hardly be a sufficient ground for refusing my request. What I would suggest is not that we should in the first instance obtain the whole of the Reports necessary for a lawyer's library, but that we should make a commencement with the more modern Law Reports. It might be convenient to take at first only the reports of the last 30 years, technically known as the Law Reports, because practically the legal decisions contained in those reports have the most bearing on matters coming before us as legislators. I think if you confine your attention at first to the reports of the last 30 years, you will thus have a manageable collection of volumes which would be very convenient for the use of the House.

MR. J. POWELL WILLIAMS (Birmingham, S.): I should like to call attention to the desirability of getting at certain portions of the Historical Manuscripts, which have become very rare, and are now very difficult to obtain. These MSS. are of enormous historical value, and are being very much sought after; and persons who begin to make a collection find it almost impossible to render that collection complete, because three or four of the MSS. he requires are out of print, or have become so rare that what could at one time have been bought for 3s. or 4s. now costs £4 or £5. If the Treasury would undertake to republish those rare MSS., it would very much help the sale of the other MSS., and be of great advantage to historical scholars throughout the Kingdom. It would also be well if there could be some revision in the numbering of the volumes, which is now exceedingly complicated. What is wanted is that they should bear consecutive numbers, so that those who possess them could easily see whether they have a complete set. I hope the Treasury will give a favourable consideration to the suggestions.

MR. JACKSON: The hon. Member for Caithness has drawn attention to the fact that the *Hansard* contract is about to terminate, and has asked whether it is intended to call for a new contract. It would be a difficult position for the Treasury to occupy if they were to endeavour to make any arrangement with an individual firm without submitting the matter to public competition. I think, therefore, that the proper course is to invite tenders for this important work.

DR. CLARK: What will they tender for?

MR. JACKSON: The tenders will be for that for which we have invited tenders before. The Treasury are acting in this matter upon a Report of a Joint Committee of both Houses, and the present contract was based on the recommendation of the Committee. We have no other basis before us. The question as to whether we should have a full report or a condensed report of the proceedings of Parliament is undoubtedly an interesting, but it is hardly a practical, one at this moment. I may state that I have not heard any complaints as to the form in which the Reports have been published. I think that on some occa-

sions they might be a little fuller than they are, and this might be a point to insert in the specification, but I know of no other alteration that is necessary. The whole question was carefully gone into by the Committee to which I have referred, and my recollection is that the Committee were unanimous except on one point, and on that one point the hon. Member for the Scotland Division of Liverpool was the only exception. With regard to the question of providing the Law Reports which has been referred to by the hon. Member for Eccles, that is a matter which has been under consideration for some time, about eight months. I promised to make inquiry as to whether there was space in the Library for the edition known as "The Law Reports," and I found there was great difficulty in finding space for so many volumes. With regard to the "Historical Manuscript Reports," the question referred to by the hon. Member for South Birmingham is at the present moment under the consideration of the Printing Committee. The hon. Member promised to write to me, but he has not done so.

MR. J. POWELL WILLIAMS: I promised to communicate with the right hon. Gentleman, and I have done so in this way.

MR. JACKSON: I have caused inquiries to be made, but have not been very well informed as to the particular volumes.

MR. J. POWELL WILLIAMS: If it is more convenient I will communicate with the right hon. Gentleman and tell him exactly what volumes are out of print. The matter may be left where it is for the present.

MR. JACKSON: I shall be glad if the hon. Member will communicate with me.

(9.32.) MR. CALDWELL: I was glad to hear the answer the right hon. Gentleman gave as to the Law Reports. I presume he will include Reports of Scotch Law as well as English Law and Irish Law. As to space, I think I can point out a convenient place for the Reports in the Reading Room downstairs. Shelves could be there arranged which would contain all the volumes, and it would be convenient to have them there as they would be easy of access. If the question of space is the only difficulty, I think there is no reason why the volumes should not be provided at once. I should like to call attention to the profit made on printing the *Gazettes*. I have found the profit on the three *Gazettes*, London, Edinburgh, and Dublin, to be £25,000. I think that this is a most unnecessary profit and an unnecessary tax upon trade. Not only is it a tax upon trade, but it falls upon unfortunate traders, because it is the bankrupt traders who are compelled by Statute to insert notices in these *Gazettes*. In the case of the *Edinburgh Gazette* the cost of production is £284, and the receipts are £3,799, which shows a net profit of over £3,500. That, I think, is out of all proportion, and is highly objectionable as a profit made out of the misfortunes of unfortunate traders. It is not a reasonable principle on which to levy taxation. Of all sources of revenue this is the one least to be commended, and, therefore, with the view of ascertaining the opinion of the Government in the matter, I beg to move the reduction of the Vote by the sum of £100.

Motion made, and Question proposed, "That item L, printing, &c., of Gazettes, be reduced by £100."—(*Mr. Caldwell.*)

MR. CALDWELL: I think I am entitled to some reply from the right hon. Gentleman.

(9.36.) MR. JACKSON: I do not know what reply the hon. Member expects to get. It is certainly a curious complaint to make, that the Government should make a little profit out of the printing of the public *Gazettes*. It is true that we have lately made some changes by which we have saved a few thousand pounds a year, but I think that the charge is not unreasonable, and I do not think that I can promise any alteration.

MR. CALDWELL: The publishing of the *Edinburgh Gazette* only costs £284, and the fees amount to £3,799. I think that the right hon. Gentleman can hardly maintain that this is a reasonable charge. Can the right hon. Gentleman give an instance in business, or anywhere else, where such an enormous profit is charged as 1,000 per cent.? The rate of these fees is calculated by the Exchequer. They can charge what they like

because the Statute compels the placing of these advertisements in the *Gazettes*. This tax upon trade—and on unfortunate traders—is utterly unworthy of the Government and of the principle upon which the taxation of the country is based. We tax the country on its wealth, or supposed wealth, and here the Government tax the people on their misfortunes, and leave them no means of evading the tax. And this operates more heavily against Scotland than against England, because the amount received from England is only five times the amount received from Scotland; and not only that, but Scotch traders in some instances are bound to advertise in the *London Gazette* as well as in the *Edinburgh Gazette*, so that money from Scotland goes to swell up the profit made on the *London Gazette*. I trust the right hon. Gentleman the Secretary to the Treasury will regard this matter not merely from an official point of view but from an unofficial point of view.

DR. CLARK: How long has the present printer a right to publish the *Gazette*; when will the contract cease, and what does he pay for it?

MR. JACKSON: I believe the present contract for publishing the *Edinburgh Gazette* is for seven years, of which two or three years have run. The sum paid for publishing it is £1,100.

(94.1.) The Committee divided:—Ayes 28; Noes 93.—(Div. List, No. 355.)

(9.50.) MR. MORTON [*Cries of* "Divide!"]: I rise to move the reduction of this Vote by the sum of £100. I gave notice of the reduction because I want, if possible, to get a full statement of particulars from the Government as to what they intend to do in regard to the Parliamentary Reports. In the first place, I should like to ask the right hon. Gentleman if he would be good enough to comply with the request of the hon. Member for Caithness, to give the Committee the name of the person with whom the Government entered into the contract which is now about to come to an end. I should like to ask the right hon. Gentleman, amongst other things, whether, in connection with the new contract he says they are just considering, he will have regard to the advisability of bringing the reporters into the body of the House, as has been done in the House of Lords. I do not know whether what is going on upstairs now can be called sweating, but certainly complaints have been made. I wish to say that I do not think the reporting is badly done; on the contrary, I think it is very well done indeed, especially as we only pay for it indirectly by taking a certain number of volumes per year; but there are those who think we should have longer reports. ["Oh!"] It is all very well for hon. Members to cry "Oh!" I am not at all satisfied that we could not get longer reports for the same money we pay for short reports. [*Laughter.*] Well, that is the evidence we receive from the House of Lords. I should like to know whether in the new contract that is to be made, the right hon. Gentleman will arrange that the price of the daily edition to Members of this House shall be 3d. instead of 1s., which is almost prohibitive. [*Laughter.*] It is not, perhaps, prohibitive to Attorney Generals, who receive plenty of fees from the public as well as from this House. Probably they do not mind whether the charge is 1s. or 3d.; but those gentlemen who have not an opportunity of receiving, or are not allowed by law to take fees as lawyers are in connection with the Public Business of this country, would find it greatly to their advantage to get the daily parts at 3d. instead of 1s. I hope that care will be taken in the new contract to see that the names of the House of Commons and the British Government are not used for the purpose of promoting bogus companies and plundering the British public. Undoubtedly, those names have been so used in connection with the existing contract that the British public have been plundered to a very large extent. I do not pretend to say whether the work ought to be done by one or two contracts. So far as I understand them, I do not agree with the statements in the pamphlet sent round to hon. Members by the editor of *Hansard*, for I think

that somebody ought to be responsible for the printing and publishing, so that we may know whom to blame in case of delay. If we had two contracts, one party might blame the other, and we should not know to whom blame could be attached. I think we should also be able, no matter at what cost in reason, to employ the very best reporters that can be got, and on such terms that whoever gets the contract shall be able to keep the reporters specially for this work from year to year. Whether we have short reports or long reports, everyone is agreed that we should have some report in the nature of *Hansard*, and I think all are agreed that the reporting should be done in the best manner. I do not wish to detain the Committee at any length, but it is a matter of considerable interest not only to this House, but to the country, that we should settle this contract on the very best terms. I hope that the right hon. Gentleman when he accepts the next contract will not do so on behalf of the Government simply because it is the lowest tender, so that it may be made use of again simply for the purpose of plundering the public. I desire to get as many particulars as I can with regard to this matter, and if we do not get sufficient information from the right hon. Gentleman I shall go to a Division. I move that the Vote be reduced by £100.

Motion made, and Question proposed, "That Item M, Parliamentary Debates, &c., be reduced by £100." — (*Mr. Morton.*)

(9.57.) MR. HOWELL (Bethnal Green, N.E.): I am one of the few Members in the House who objected to the change when it was made three years ago. I thought then that it would be a very unfortunate change for this House, and it has turned out to be so. The only thing I wish to urge is that in making the new contract considerations other than those of mere cheapness should influence the Government. I think that for the dignity of this House, the old reputation of *Hansard* should at least be kept up. I am bound to say, having looked over the reports issued under the new conditions, that, notwithstanding the fact that they are a little more lengthy, I fail to find in them that completeness, compactness, and fulness in the proper sense of the term that were to be found in the old *Hansard*. In making this comment it is only fair that I should urge on the Government that they should not have consideration merely to the 130 or 120 copies that they purchase from the contractor, but that they shall have in view the necessity of doing something to preserve the historical records of this House. Often in various parts of the world the only thing to refer to as to the Debates in this House is *Hansard*. The *Times'* reports are exceedingly good, considering that they are out on the morning after the Debates. I do not wish to say one word against the *Times'* reports, but we want something which will be accepted as an authoritative report of the proceedings of the House. I would press upon the right hon. Gentleman that some consideration other than cheapness should be taken into account in making a new contract, and if that is not done I, for one, shall certainly draw attention to the matter next Session.

*(9.59.) MR. CREMER: I only wish to say a few words with reference to the subject under discussion. I cannot agree with my hon. Friend (Mr. Howell) in regard to the character of the reports now supplied to us. For my part, I think that *Hansard* is decidedly improved. There is no comparison between the present and the past. I agree, however, with what has been said as to the use that has been made of the name of *Hansard* and the disastrous results that have followed. I hope that in the new contract the Treasury will take care to safeguard the honour and dignity of the country against a repetition of such shameful practices. But I rise simply for the purpose of joining in the appeal in favour of a reduction being made in the price of *Hansard*, at least to Members of the House. I think that half the price now charged would be quite sufficient. I presume the Treasury will oppose any attempt to reduce the price of *Hansard* to Members; but when I recollect that

by the *Gazettes* of London, Dublin, and Edinburgh there is made a profit of something like £25,000 a year, it seems to me in that profit there is an opportunity afforded to the Treasury of making a little sacrifice in the direction indicated. What do we find takes place in other countries? In the United States there is a full and official report. I hope the time will come when we shall have a report of the same character. Of course, I should like our report to be free from the abuses which have crept into the report in the United States. It is quite a common practice there for a member to prepare a long speech and commence to read it; but when he has been on his legs a few minutes the other Members become impatient and he sits down, on the understanding that his speech will be published in the *Congressional Record*. Thus the speech is palmed off on outsiders as one that has been delivered in the House. I do not wish to suggest for a moment that we should tolerate anything of that kind, but we ought to have some kind of official report, produced under the supervision of a Department of the State, and issued at a cheap rate. I hope, at all events, the Government will strain a point to supply *Hansard* to Members at a cheaper rate than it has been obtainable at hitherto.

(10.5.) MR. T. M. HEALY: I am bound to say, having read in the papers all about the Hansard Union business, that I do not think the Government can be acquitted of having been the cause of ruin or great loss to hundreds of people. The Treasury had no business to enter into this contract. It was necessarily a ruinous contract for the company, who were not paid for the work they were doing. I do not read the *Hansard* proofs, but throw them in the waste paper basket; but the company have been doing better work than was ever done in the olden times. Therefore it must have been evident to the Treasury that the work was undertaken by the company as a kind of catchpenny, just as a tradesman puts an article in a shop window at a price that cannot pay, in order to attract customers. The contract was taken by the company for the purpose of sharking the public, who were led to believe it was a profitable contract, and were thus induced to invest their money in shares. The public were never informed that the whole basis of *Hansard* was a matter of £1,000. Upon this the Union, with something like £300,000 capital, was floated, to say nothing of the Anglo-Austrian Paper Company, or *Papier Mâché* Company. It was a wrong thing on the part of the Government to allow all this to go on, knowing as they did how the Government contract was being dangled before the eyes of the public. All this has been done by a man whose record in the Bankruptcy Court the other day was one of the most amazing disclosures that even London or South African finance has yet shown. A man who had not a sixpence ten years ago has been able to get from the public hundreds of thousands of pounds, and all on the basis of this contract giving the right to use the historic Parliamentary name of *Hansard*. There is not a sharper man in the world than the Secretary to the Treasury. I know something of the way he has done his work in Ireland, and I think he is one of the keenest and most competent men that ever occupied his position, and that being so his blame is, in my judgment, all the greater. The right hon. Gentleman ought to have known something about Bottomley and the way in which he was using this Parliamentary contract for company-mongering. By the use of the name of *Hansard*, dust was thrown into the eyes of thousands of people, because it is absurd to say that if the company had been called John Smith & Co., or any name of that kind, the public would have taken up the shares. I think the right hon. Gentleman when giving the contract to this company ought to have seen that they were asking a figure which would pay. I wonder whether the widows and orphans who have been ruined by *Hansard* know what *Hansard* was getting out of the Government. I will tell them. What the Government did for *Hansard* was to buy 120 copies, and sundry odd copies, of the report at £5 5s. 0d. each. In all they paid £650. I suppose it cost *Hansard* £5 to produce each set of volumes, so that the profit may have been 5s. a set. I suppose they

made £30 a year profit, if as much. And this contract was the foundation on which many unhappy people lost their money. I say that in this matter a great responsibility lies with the head of the Treasury. Having brought about this great scandal what is the next step? What is going to be done with regard to Parliamentary reporting? The present Government are not to blame for this penuriousness in the matter of reporting; they only adopted the policy of their predecessors. When a Minister is out of office he is anxious for an official report, but when he is at the Treasury he sneers at such a report, and asks the public to do the reporting. At the present moment the reports for *Hansard* are being done for both Houses by a receiver: the Commons have a receiver in the gallery, and the Lords on the floor of the House; that is what we have come to. What has happened ought to be a warning to the Government. Reporting is a great craft. The reporter requires to know his craft and a great deal about many subjects. This Parliamentary work ought not to be given to a person coming into the market to make a profit. While we are condemning sweating at the East-end this contract was a palpable absurdity. Something ought to be done to give a proper *status* to the reporters of the Debates, and some explanation is due from the Government to the unfortunate shareholders of the company.

(10.15.) MR. JACKSON: The hon. and learned Gentleman has thrown blame on the Treasury for what they have done in connection with the Hansard Company. I do not think the Treasury, if they had the business to do over again, and had the knowledge they possessed at the time this contract was entered into, would take any other course than that which they have taken. There had been a Joint Committee of both Houses which recommended a certain course of action. In order to give effect to the Committee's recommendation the Treasury must do one of two things—they must either enter into arrangements privately with some firm, or they must invite public tenders. It would not have been satisfactory to the House if they had made a private arrangement, and in that case I am sure the condemnation of the hon. Member who has just spoken would have been quite as strong as is his condemnation of what has occurred. I think it is the essence of questions of this kind that there should be thorough publicity as to what is required; and, secondly, that there should be open competition, that there should be a fair field and no favour to all those who are competent to discharge the duties. Tenders were invited. The Treasury fixed no price themselves, but followed the recommendations of the Committee. I believe it was a recommendation of the Committee that the price of the daily parts should be 1s.; and one condition laid down was that the Treasury would take 120 copies for distribution amongst the Departments. In response to the invitation four or five tenders were sent in, and the firm which made the lowest tender was accepted. It must be fully understood that the Government had every reason to believe that the firm whose tender they accepted was fully capable of discharging the duties which they had undertaken, and I do not think that hon. Members have any complaint to make as to the way in which the work has been done. In these circumstances, the Government could take no other course than to accept the tender of the firm who offered to do the work upon the lowest terms. The hon. Member has spoken as if the tender was made by the Hansard Union, and we knew what was going on. The firm who took the tender was Macrae, Curtice, & Co.

MR. T. M. HEALY: I asked that question last year, and it was denied.

*MR. MORTON: Is that name in the tender that was sent in?

MR. JACKSON: Certainly. The question of the hon. and learned Member for Longford may have been put in such a form as to make the answer to it convey that impression. When the firm sent in its tender it was registered under the Joint Stock Acts. The day has gone past when you can make much distinction between a company and a private concern, but the Government took extra

precaution in this matter by requiring the company to give security for the due performance of the work. In these circumstances, I fail to see what other course the Government could have taken than the one they adopted. Hon. Members have complained that the Government accepted the lowest tender; but if all other things are equal, and the Government had reason to believe they were in the present case, surely we are bound to accept the lowest tender. It is perfectly true that Macrae, Curtice, & Co. has been bought up, and has been consolidated with other businesses into a great concern, and that that concern has not been successful, but it was impossible for the Government to ascertain the real state of the case at the time they entered into the contract. The Government, however, when the real position of affairs came to their knowledge, took the earliest opportunity of terminating the contract, and, as a matter of fact, the contract will terminate at the end of the present Session. The Government will, of course, invite fresh tenders, and will endeavour to select some firm who, so far as we can judge, is perfectly competent to perform the work in a satisfactory manner. Beyond that, it is quite impossible for me to give any pledge in the matter.

DR. CLARK: I think in fairness to the right hon. Gentleman I ought to say that when Macrae, Curtice, & Co. took this contract they were a very respectable firm. There was a fusion of two firms, a printing and publishing firm. The printer, Mr. Durant, was the Member for Stepney in the last Parliament, and Mr. Curtice was a publisher for 30 years, and he carried on a very good business. But Mr. Horatio Bottomley came in as managing director and ruined the business. The Treasury were aware that Mr. Bottomley was arranging the contract. It was announced that the company were going to push the Reports amongst the trade and thus make the thing pay. I protested then, as I protest now, against the invitation of the Government to firms to tender not for a full or even a fair report, but merely for a report that will give one-third of what a speaker says. It is left to some reporter in a corner of the Gallery to determine what that one-third shall be. If the Member feels aggrieved with the report he has to write out what he wishes to appear; he has, in fact, to edit his own speech. The hon. Member for Northampton does not want a report, and I would much prefer to have no report at all rather than have such an one as we now get. If you are going to have a report let it be an accurate one. A better report than that of *Hansard* is to be found in the *Times*, although I am ready to admit that the form in which *Hansard* is furnished to hon. Members is very convenient. The Government will have to make up their minds whether they will have the reports based upon the commercial principles or whether they will give a subsidy. Personally, I think the present method of tendering is the one wrong one.

(10.25.) MR. CREMER: The right hon. Gentleman has defended the action of the Government by saying that the price of the daily parts was fixed by the Committee, but it is quite competent for the Government to over-rule the decision of that Committee as they have those of so many other Committees. This is the only country in which Members are called upon to buy the official report. In the United States, where Members are paid for their services, every Member of Congress receives six copies of the *Congressional Record* free every day. I hope, therefore, that my very modest request of reducing the price to 6d. will be acceded to.

MR. LABOUCHERE: I hope that if the request of the hon. Member is acceded to some means may be provided for those hon. Members who do not want the reports to signify the fact to the Government. For my own part, I never read anything that I have said, because I hope that I get wiser every day of my existence. I look sometimes with regret on what I have said, because I hope to be able by practice to speak in a briefer fashion. When we begin to thresh out our differences of opinion as to what we consider an accurate report, we find

ourselves at loggerheads. There is a *verbatim* report, and outside a *verbatim* report there is only good and bad reporting. The reporter must compress, and it depends upon the reporter whether the compression is well done or not. Speaking generally, I do not think the reports we at present are very good. When *Hansard* took the *Times* report, I do not say it was what it should be, but it was fairly good. *Hansard's* report was better than is the Company's report. The reports we have are not, I think, up to the reports of speeches we get in provincial newspapers. I venture to suggest to the right hon. Gentleman that it is always very desirable in accepting a tender to consider who those who tender are. Anybody may tender to do the work badly, but what we want is a thoroughly good report. I do not say a *verbatim* report. I do not think a *verbatim* report either possible or desirable, but a fair and reasonable *précis* of what is said in the House would be useful. That we do not get at present, and I doubt very much whether we can get it without paying something for it. I was on the Committee, and I confess that I was very much surprised to hear that the firm referred to had tendered to do the work gratis, particularly as *Hansard* had received over £5,000 per annum for it, and I do not suppose that *Hansard*, even in the perfunctory way in which the work was done, got anything like £5,000 a year by it. It may be a melancholy fact, but it is undoubtedly true, that the general public are not so anxious to read our speeches as we may think, and, for my own part, I cannot possibly imagine any sane human being buying *Hansard's* reports and sitting down to pass a cheerful evening reading them. The fact is, the work is not one for general circulation, and to imagine that any firm can make money by reporting all the speeches in the House, and then publishing them in a presentable form, is an entire illusion. I only rose, however, to suggest that, if we are to have a good and satisfactory report, it would be well that the Treasury should look closely into the firms which tender, and in order to secure such a report I do not think a reasonable sum would be badly spent by the House.

Mr. Labouchere

*(10.34.) Mr. MORTON: I understand the hon. Member for Northampton does not read his speeches, but he thinks he is improving day by day, and I hope that is so. The right hon. Gentleman the Secretary to the Treasury has not replied to the suggestions I made, nor given me any assurance that the Government will even consider them. I first asked a question about the charge made for the daily copies of *Hansard* to Members. The right hon. Gentleman tells us that the price was recommended by the Committee, but surely that does not settle the matter for ever; surely he will go so far as to say the Treasury will consider the wishes of Members in the matter. I asked, next, whether the Government would consider the suggestion of placing reporters on the floor of the House, as in the House of Lords, where the plan has been very successful I am told. I suppose we could find as much room for them here. I am sure there is no desire, so far as I know, to imply that the right hon. Gentleman had any idea of the use to which the contract in question was going to be put; but I can only say that in a few hours, or in a very short time, it was known in the City of London who had got the contract and what was going to be done—that the contractors were about to apply to the public for money. This was known almost before the contract was signed. I shall certainly go to a Division on this matter unless I get an assurance that the Treasury will consider the questions of enabling hon. Members to get the daily copies of the reports for 3d. each, of placing reporters on the floor of the Chamber, and of making it a condition of the contract to have, not simply one-third, but a fair report of the proceedings of the House.

(10.35.) Mr. T. M. HEALY: I heard with some surprise the speech of the right hon. Gentleman the Secretary to the Treasury, in which he said the Treasury could not know how the contract would be used. I have referred to the Estimates for 1887, the year before the Hansard Union was founded. The public who have lost their hundreds of

thousands should understand what has been done. The right hon. Gentleman tells us the Treasury had but one duty, to make the best contract they could in the interests of the taxpayers. But the taxpayer can be bled not only by taxes, but by losses. You have saved the taxpayer ¼d. in taxation, you have let in the taxpayers who subscribed to *Hansard* for losses to the extent of hundreds of thousands of pounds. Here is the estimate for *Hansard* this year: 120 copies of the Debates, at £5 5s.—£650. The Estimates show that in 1888 a grant in aid was made to *Hansard*, and in that year *Hansard* received £5,150 for doing what in the present year they are doing for £650. It is absurd for a Minister to talk about a contractor coming to the Treasury and saying he was going to form a Limited Liability Company, and would do for nothing work which cost *Hansard* £6,000 a year to do, and without making any money by it. Surely the Treasury ought to have had their eyes open as to what was going to take place. On the face of it it is absurd. Does it not point to some job, something in the City, something smelling, a job the scent of which the nostrils of the Government ought to have scented. Now the right hon. Gentleman asks, what were the Treasury to do? Well, I must say I think if a man were to come to me and offer to do for £650 work for which I had been paying £6,000, I should be disposed to ask: "My friend, how are you going to work it? How are you going to get the bulge on the public in this thing?" I think most men not in the habit of dealing with Treasury millions would take that view. Certainly the shareholders of the company in question would have thought it extremely curious that the Treasury was to get this work done for nothing, whereas the old contractor, not a Limited Liability Company, got more than £5,000 for it. The right hon. Gentleman lays down the proposition that the Treasury had only to get the work done anyhow, but here we have the evil result. The Treasury may have saved a few thousand pounds, but the public have lost £300,000; that is how the profit and loss of the thing stands. Why, if a man comes to the Treasury and offers to run the whole British Empire for £1 a week—Army, Navy, Volunteers, and all—are you to accept the offer as a matter of course? The blame of the transaction rests on the Treasury, and the right hon. Gentleman has not met the case by the statements he has made. So much for the past, but what as to the future? It is not creditable to the House or to the country to leave the question of reporting our Debates in the way in which it now stands. For my own part, I do not care a brass button whether *Hansard* is given up or not. I am quite sure nobody cares much about it outside the House; but if it is to be kept up, let it be on a well understood and responsible system. The Houses of Lords and Commons have sat in Committee on this subject, and now what it comes to is that you get somebody to do the work for nothing. I say the business of reporting our Parliamentary Debates ought not to be jobbed about in this way. I think it is pretty well understood *Hansard* did not make a profit out of the subsidy. I do not imagine the £4,500 included the admirable work done in Select Committees? [Mr. JACKSON: No.] Well, then, I say in reference to the question what is our Parliamentary reporting to come to, would it not be possible to have a combination whereby the admirable craftsmen who do the work of the Committees could afterwards, supposing there is a sufficient staff, be turned on to give a *précis* of the proceedings in the House? The hon. Member for Northampton has said *Hansard* did well when adopting the *Times'* report. Well, as regards English Debates, I will admit the *Times'* reports are very good. But that is not the case when the *Times* deals with Irish Debates. It seems to be the rule in the *Times'* report, when an Irishman makes a point, to leave it out. I suppose this is somewhat on the Johnsonian principle "taking good care the Whig dogs did not get the best of it." That is my experience of the *Times*; at any rate, during the last few years. But I say a system by which the Debates are adapted from the *Times*, and produced by a cheap staff, is not a satisfactory state of things. The Government should say exactly what it is that they require. It is not enough to invite tenders for a report. Is it to be an original report—a *Times* report—what

is it to be? I do not suppose anybody wants a *verbatim* report. Whatever it is you decide to have, let the contractor know what it is you want; and if for an original report a subsidy is required—£4,000, or £5,000, or £10,000—let it be granted if you want such a report.

(10.45.) MR. JACKSON [Who could only be imperfectly heard]: There is no difficulty about the matter; all the particulars are set out in the specifications, and if any further information is required, it, of course, can be obtained at the Stationery Office. But the whole thing is set out in the specification. It is part of the arrangement that there shall be always in the House a reporter to watch the proceedings—Questions, General Debates, Committees; in fact, the whole proceedings. The question raised by the hon. Member for Peterborough with regard to bringing the reporters downstairs was considered by the Committee. The difficulty in the House of Lords was owing to the acoustics of the Chamber, and the fact that in the Gallery the reporters could not properly hear. The consequence was, that in order to enable them to hear the reporters were brought downstairs. There is no difficulty of that kind in this House. I think there are objections to fixing the price of *Hansard* to hon. Members lower than to the public. Whatever the price fixed to Members of the House, we ought to allow the public to purchase at the same price. If there is any feeling on the matter, I am perfectly willing to consider it, but I do not think there is likely to be a great sale.

*SIR J. GOLDSMID (St. Pancras, S.): I hope the Treasury will not reduce the price, because it will only tend to increase the amount of small talk in Supply. For this reason, I would rather have the price increased than diminished. It will merely satisfy vanity and meet no public demand.

(10.50.) The Committee divided:—Ayes 35; Noes 131.—(Div. List, No. 356.)

Original Question again proposed.

Mr. T. M. Healy

(10.57.) MR. ATKINSON (Boston): Some time since I drew the attention of the Treasury to the grievances of the Custom House clerks in relation to the bills of entry, and there can be no doubt that they have been most unjustly treated. I do not know who was answerable for the change, but I do know that it was most unjustly made.

THE CHAIRMAN: The hon. Member is referring to something that was done many years ago, and has no reference to the expenditure in the present year.

MR. ATKINSON: I find the accounts here, and I submit that I am in order in discussing these.

THE CHAIRMAN: The hon. Member's criticisms would only apply to action taken some years ago.

MR. ATKINSON: Very well, Sir; I move the reduction of the Vote by £500. I can substantiate my case, and next Session I will move for a Select Committee on the subject.

THE CHAIRMAN: Order, order! The arrangement in question was made some years ago, and has no reference to the present Estimate.

MR. ATKINSON: I shall move the reduction of the Vote by £500, and shall ventilate my case next Session.

Motion made, and Question put "That Item N, Printing, &c., for Bills of Entry, be reduced by £500."—(*Mr. Atkinson.*)

(11.4.) The Committee divided:—Ayes 14; Noes 160.—(Div. List, No. 357.)

Original Question again proposed.

(11.14.) SIR G. CAMPBELL: I wish to ask who is the Minister of the Crown responsible for the printing arrangements. We have continually to make complaints about the printing, and especially of delay in the issue of Papers, but we are invariably told by the Ministers to whom the complaint is made that they have no control over the matter. I think there ought to be some one in a position to answer our questions. I think sometimes that the Treasury is not particularly anxious to

bring the printers under a general control, because it is convenient for Ministers to be able to hurry on some Papers and delay others without assuming any responsibility towards Parliament. I repeat I think there should be a Minister responsible to Parliament for the printing arrangements, whom hon. Members can question as to delays in the printing of Papers.

MR. JACKSON: The hon. Member asks who is the Minister responsible for the delays that take place. I may point out that the printer has to get the Papers from the several Departments, each Department sending in its own. In any case where the printer has not used despatch, if the matter is brought to the notice of the Chairman of the Printing Committee, the Member for Wigton, it will be inquired into.

SIR G. CAMPBELL: That is all I want to know. If in future we have to complain of delay, our inquiries must be addressed to the Member for Wigton.

*MR. CAUSTON: I must, as a Member of the Parliamentary Papers Distribution Committee, say I do not think it is part of our duty to accelerate the printing of Papers.

MR. JACKSON: I did not say it was; I only suggested that the Chairman of the Committee would inquire into any complaints as to delay.

MR. LABOUCHERE: I think the charges for Parliamentary Papers are too high. There are a great many Blue Books which contain information that would be valuable to a great number of persons, and it is a mistake to charge so highly for them. I would suggest that the Government should follow the system adopted especially in the book business, and try to get large sales with small profits.

SIR G. CAMPBELL: I have another matter arising under this Vote to which I wish to draw attention. I see the sum put down for Parliamentary Papers for the free libraries is £100. That shows a very niggardly distribution. There is a good deal of humbug about some of these libraries. Their only use is to provide three-volume novels for young persons, and it would be desirable to provide them with some solid reading. More solid reading than these Blue Books could not be found. If these books are of any value at all to the free libraries more of them ought to be distributed.

*(11.20.) MR. CREMER: What are the hours of the clerks in this Department?

MR. JACKSON: Seven; from 10 till 5.

Question put, and agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £15,624, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

MR. CALDWELL: I rise for the purpose of moving the reduction of the Vote which stands in the name of the hon. Member for Inverness-shire, and my object is to call attention to the question of the alienation of rights in salmon fishing in Scotland. In Scotland certain salmon fishings are vested in the Crown, not as a personal emolument, but on behalf of thd public. In 1872 the Woods and Forests Department began under an Act to alienate salmon fisheries, and a considerable amount of irritation has been created in Scotland. The question has been raised on former occasions, and the Government have undertaken that no more alienations shall take place until the matter has been definitely determined. A Committee has made substantial recommendations as to the salmon fishings being utilised for the benefit of the public by way of licences in such a way that public rights may be utilised for the benefit of the public in general. I wish to know whether the Government are still prepared to carry out the policy of having no more alienations of these salmon fishings in Scotland; and, further, whether the Government are prepared, and to what extent, to carry

out the recommendations of the Commissioners whom they appointed? I beg to move the reduction of the Vote by £100.

Motion made, and Question proposed, "That Item A, salaries, be reduced by £100, part of the salary of the Chief Commissioner."—(*Mr. Caldwell.*)

*(11.26.) MR. BUCHANAN: There is a further point connected with the rights of the Crown in Scotland—namely, the salmon fishing in loch and fresh-water lakes. In one case there has been an alienation in recent years—the case of Loch Morar.

MR. JACKSON: It has not occurred this year.

*MR. BUCHANAN: No. But I want an assurance from the Government that it shall not occur again. The salmon fishing rights were not of very great monetary value. But after the alienation of these salmon-fishing rights very serious other rights were found to have been alienated from the public to private individuals. The result was that in the case of this vast lake (Loch Morar), one of the largest lakes in Scotland, it has been found that by giving to the riparian proprietors the rights of salmon fishings which are vested by the Crown in the Office of Woods and Forests, this vast lake has been shut up against the public and the inhabitants of the locality. That is a very serious public grievance indeed. I believe that when the Office of Woods and Forests sanctioned the alienation, they were quite unaware of the consequences. I think we should demand from the Department of the Government representing the Woods and Forests that in future no such alienation of Crown rights, with the results I have referred to, shall be made.

(11.30.) MR. MARJORIBANKS (Berwickshire): I think it is very desirable that these Crown rights in salmon fishings should be very jealously watched over, and that the Government should give some indication of what policy they intend to pursue with regard to them. I believe that the rights of the Crown are involved in the question of public rights in general. The Member for St. Rollox is wrong in his statement as to the rights in this matter. The rights of white fishing in the sea are held by the Crown as trustee for the public, but in regard to salmon fishing and mussel gathering they are the private property of the Crown, and therefore can be easily dealt with. I believe that one of the important points to be attended to is to fix exactly where the title rests in regard to those Crown rights. No one can claim rights except by direct grants from the Crown, but I believe that in many cases rights are claimed by private individuals to which they have no title whatever. A great step would be gained if we couid thoroughly clear up throughout Scotland exactly what fisheries have passed to private persons and what still remains with the Crown.

SIR G. CAMPBELL: My belief is that there is no such thing as private property in the Crown, and that these salmon fisheries are no more the private property of the Crown than the Palace of Lambeth is the private property of the Archbishop of Canterbury. These so-called private properties of the Crown are properties held for public purposes, and in trust for the nation; and I hold that there is no more atrocious offence than this selling of these Crown rights to private individuals for a mere song, to the detriment of the people of this country. I would not only reduce the salaries of these Commissioners, but I would hang them all. I am, however, afraid, that the steeds having been stolen from the stable, the Conservative Party, with their superstitious regard to rights, however evil, will not be disposed to restore those steeds. We shall have to wait until a Radical Government comes in. We are, however, entitled to a repetition of the pledge that there shall be no more alienations in the future.

MR. CALDWELL: I may point out that the money realised by the sale of these rights goes into the Public Purse.

(11.37.) MR. CRAWFORD (Lanark, N.E.): I must say I look with no little anxiety to the answer the Government will make to the general inquiry and complaint as to their policy with regard

to the salmon fisheries in Scotland. The Member for Wigtonshire and myself were members of a small Commission on this subject, and I am anxious to know how far the recommendations of that Commission are to be carried out. One recommendation was that there should be no further alienations of salmon fisheries in Scotland, and I hope that promise will be renewed here. But the majority of the Commission went further, and said that, whereas salmon fisheries in the sea in England have always been treated as a public right, and have been interfered with only to the extent of conserving them by useful and reasonable regulations—the public being entitled to fish for salmon in the sea by licence—the history of salmon fishing in Scotland has taken a contrary direction, and that only in recent times. It was not until 1851 that the decision was given, and was confirmed by the House of Lords in 1858, which decided that the right of salmon fishing in the sea in Scotland was declared not to be a public right in the same sense as white fishing; but that it was a right capable of being made a source of revenue, and to be treated as part of the hereditary revenues of the Crown. The Commission recommended that this idea in Scotland should be discontinued. I believe, as a lawyer, that that decision was a mistake, and that it would be far better to follow the example of England in respect to this matter of salmon fishing, and say that this paltry revenue of £6,000 a year which the Crown derives shall not remain an obstacle to the contentment of the fishing population round the coast of Scotland, but that the fishing shall be regulated by licence as in England. In olden times these rights were of very little value, but of recent years they have become of some value, and hence people have assumed a title to them. The Commission have great reason to believe that a large number of private rights in inland fishings have been claimed upon no real title, and they have recommended that the proprietors should be called upon to bring in their titles and show what they are, and that if they do not do so the Crown shall assume that the titles remain with the Crown, and shall resume them for the benefit of the public.

*(11.43.) A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I should like to ask whether it is possible at this time of the day to traverse all the arguments in the case referred to by the hon. Member. The Commissioners of Woods and Forests have simply to make the best out of the estate which they have to administer. The Commission over which I have had the honour to preside has made certain recommendations, and although no definite action has been taken on them, the general policy of the Government has been to follow those recommendations. I think I am correct in saying that no alienation of Crown rights has taken place since that time, and all that has been done is to re-let certain several fishings on remote parts of the coast, in most cases to the old tenants, sometimes at reduced rates, whereby I do not think hon. Members will contend that any injury has been done to the public. The hon. Member for West Edinburgh has alluded to the Loch Morar case. I cannot think that the hon. Member accurately recited the facts which were brought before us in evidence during the inquiry. I do not think the mere fact of regulating the rights of salmon fishing in the loch has deprived the people in the neighbourhood of the right of boating. The question of Loch Morar fishings is almost ancient history, and the impression which was left on my mind, after a very careful inquiry and examination of witnesses resident on the spot, was this, that the grievance and injury done to private interests in the neighbourhood has been very greatly exaggerated. There has been no repetition of these complaints since the inquiry took place, and the question is still under the careful consideration of the Government. As to the larger question raised by my right hon. Friend the Member for Berwickshire, I am not quite sure that the hon. Member knows how large it is. A general search into the titles of any description of property would be, if not inquisitorial, at all events extremely complicated, protracted, and expensive; and I am not certain there is anything more than vague suspicion in the mind of the public that certain persons are exercising rights to which

they had not a proper title. I think that until a better case has been shown for a general inquiry it would be inexpedient to undertake what would be a very lengthy and very delicate business. I decidedly think that no case has been shown for such an inquiry.

MR. MARJORIBANKS: I did not suggest that an inquiry should be held into the titles of all people holding rights under the Crown, but I did suggest that all persons so holding should be required to register their title within at least two years, and that if they failed to do so, then it should be considered that these salmon or mussel fisheries were still vested in the Crown, and the Crown should be able to deal with them as seemed best for the public.

*MR. BUCHANAN: The hon. Gentleman has suggested that I did not accurately explain to the Committee the facts of the case with regard to Loch Morar, and the consequences of alienating their rights. What took place was this——

THE CHAIRMAN: Order, order! The case of Loch Morar was only incidentally cited as an illustration. It is not relevant to the subject under debate to go into the facts connected with it.

*MR. BUCHANAN: I only desired to justify what I had said on the subject. This is really the first case in which the Office of Woods and Forests alienated any such rights in a large enclosed sheet of water, and I believe that they did it in ignorance of the consequences that might ensue to the public. It was only subsequently that they appreciated the evil results. I want now to get a definite pledge on the part of the Woods and Forests that no such alienation of fishing rights shall take place in the future as has taken place lately.

(11.54.) SIR G. CAMPBELL: I also wish to press the Government for a definite pledge that this alienation of the fisheries shall not continue. With regard to information as to title there is a very great difference between Scotland and England; if the Public Register is looked at in Scotland, the title can be decided at once. But there are a large number of people who claim to exercise their rights of salmon fishing who have not a shred of title.

MR. JACKSON: I do not think there is any difference between the views of the Government and hon. Members as to the general policy to be pursued. The Government are as anxious as hon. Members opposite to take care that no alienation of fishing rights shall take place. There have been no such alienations since the inquiry by the Commission, but I do not think it would be wise or right to say that under no circumstances shall there be no alienations in the future. As I know the view taken by the Department of Woods and Forests, I may say that the general policy of the Department in future will be such as to meet with the approval of hon. Gentlemen opposite.

MR. CRAWFORD: I was rather surprised that the statement of the hon. Member who sits below me as to the necessity for inquiring into the title of members of the public who claim rights of salmon fishing received the answer that such inquiry would be impossible. The Department have not carried out the recommendation of the Royal Commission in regard to leasing fisheries. The Government ought to see that these recommendations are carried out, and not declare it impossible to trace everybody's title. The Report of the Commission speaks of a belief that there are still many unchartered waters. It is a matter of great importance that inquiry should be made.

*SIR H. MAXWELL: There is no difference between the attitude which I have taken up on this occasion and the language of the Report, but there is a difference between examining into particular cases and a general investigation. Inquiry should be made in cases where reasonable doubt exists.

DR. CLARK: I think that the hon Gentleman might have gone further, and laid it down that in the

renewal of salmon leases the same course will be followed as used to be taken under the old toll system, of putting them up to tender. By that means a fair price would be obtained. After the scandals which have occurred in the past, the Government ought to take great care to prevent a renewal of them.

(12.4.) The Committee Divided:—Ayes 56; Noes 121.—(Div. List, No. 358.)

Original Question again proposed.

*(12.12.) SIR WALTER FOSTER (Derby, Ilkeston): I wish to call the attention of the House to the action of the Woods and Forest Commission in letting Crown lands in allotments. Application was made to the Department to let for that purpose certain Crown lands in Billingborough. This House declared in the Allotments Act that one acre was the proper size of an allotment, but the Woods and Forests Commission have taken it into their heads to declare that half an acre is sufficient, and, in a communication sent down to Billingborough, it was said—

"Half an acre is as large a quantity of land as can be properly managed by an agricultural labourer, unless under exceptional circumstances, and, as at present advised, the Commissioners would not be disposed to grant to labourers an allotment exceeding that quantity."

I wish to obtain an assurance from the Government that the Comissioners of Woods and Forests will in future comply with the terms of the Allotments Act, and grant allotments of Crown lands to the extent of one acre, whether in England or in Wales, to labourers who apply for them. It is surely a piece of official tyranny to tell a poor man that he is incompetent to manage more than half an acre of land. If he is able to pay the rent for an acre, he should be allowed that quantity of land, and no Government official ought to deprive him of the right to it.

(12.15.) MR. A. O'CONNOR (Donegal, E.): I wish to ask a question, not as to a poor man, but regarding one at the other end of the scale. The hon. Member for Wigtonshire said just now that the Government were bound to make the most of their revenue. Surely, then, it is incumbent on them to get in the debts which are due to the Department. I find in the list of unrecovered debts one in the name of the Duke of Fife for a capital sum of £400, and interest, which in five years has amounted to £75. What security did the Department take from the Duke when the money was advanced? Is there any power of foreclosing? Do the Department stand in the position of mortgagees? Have they any personal security? Surely a person of the rank of the Duke of Fife could get some one to act as surety for him. Why has not payment been enforced? Why should the Duke be treated differently from a poor man?

MR. JACKSON: With reference to the question raised by the hon. Member for Ilkeston, there will be no difficulty in granting the full quantity of land fixed by the Allotments Act to labourers who apply for allotments out of lands under the control of the Commissioners. I do not think there is any desire to restrict the grants to half an acre. With regard to the question of the hon. Member for Donegal, I do not know the particulars of this case, and I cannot, therefore, give him the information he asks for. I anticipate the debt is the subject of a dispute. I will, however, make inquiries into the matter.

(12.20.) MR. A. O'CONNOR: I think the answer of the right hon. Gentleman most unsatisfactory. I can see nothing on the Estimates to explain the delay in the collection of this debt. For years and years the Department have allowed the debt to exist, and the interest on it to accumulate. The Duke is in the position of a debtor who has not paid his debts. I suppose the Department has taken no action against him, simply because he is the Duke of Fife. But the House of Commons ought not to be afraid of the Duke, and as we have been unable to get a satisfactory explanation, I shall move to reduce the Vote by the amount of the debt, namely, £400.

Motion made, and Question proposed, "That Item A., Salaries, be reduced by £400, part of the Salary of the Chief Commissioner."—(*Mr. Arthur O'Connor.*)

MR. JACKSON: I do not think the reply that I have made is unreasonable. It is impossible for me to be in a position to enter into details on this subject, as I have received no notice. There are some thousands on the Votes. How can I be expected to be acquainted with each one?

MR. A. O'CONNOR: This debt has been going on for years.

MR. JACKSON: But my attention has not been called to it before; I have no doubt there is a full explanation to be furnished. I am not asking too much when I request the hon. Member to withdraw his Motion. If the Vote is now allowed to pass I will undertake to give the hon. Member full particulars on Report.

MR. T. M. HEALY: I think the attitude of the Government is most unsatisfactory. This debt has been standing since June, 1885, just about the time the Conservatives came into power. It is most extraordinary that while poor Irish farmers who owe the Treasury a few pounds are sold up if they do not pay, this noble Duke, because he is the husband of a lady who gets thousands of pounds from the taxpayers of the country, is allowed to owe this large amount year after year. I can imagine the Attorney General denouncing the wretched ruffians of Irish tenants who fail to fulfil their contracts, but when it comes to be the case of a Duke who heads a South African Company, it is loyal and patriotic not to ask him to pay his debts. If it had been a poor man who owed this money he would have been forced to pay. An Irish tenant who owes £15 for two years is promptly sold up and turned out of house and home. Members of the Government talk about the dishonesty of the Irish tenants, but why not make the Duke pay his debts. [*Loud cries of* "Order!"] Members of the Tory Party do not like to hear about this, and as they will not give me a fair hearing I beg to move to report Progress.

THE CHAIRMAN: I cannot accept that Motion.

MR. T. M. HEALY: Then am I to have a hearing?

THE CHAIRMAN: The hon. Member must expect to be interrupted if he says offensive things.

MR. T. M. HEALY: I have said nothing offensive to this House. You expect Irish tenant farmers to pay their small and miserable debts, while you do not make the Duke pay his. That is all I have said, and I do not consider that offensive to anybody.

(12.27.) The Committee divided:—Ayes 43; Noes 115.—(Div. List, No. 359.)

Original Question again proposed.

(12.36.) DR. CLARK: I beg to move, Sir, that you do now report Progress. Two very important matters have yet to be raised on this Vote, namely the condition of the gold industry in Wales and the mal-administration of the Crown quarries in Wales.

Motion made, and Question proposed, "That the Chairman do report Progress and ask leave to sit again."—(*Dr. Clark.*)

*MR. GOSCHEN: I would point out as regards the gold mining industry in Wales that a Royal Commission is inquiring into the whole question of royalties. Great concessions have already been made, and a discussion on the matter before the Commission has reported would lead to no result. The moment the Commission has reported I will take up the matter. I could not deal with it until the Commission has reported, so I think it would scarcely be worth while to take up much time now in discussing it. I hope the Committee will now discuss the question of the quarries in Wales, so that we may be able to take the Scotch Votes first thing to-morrow. I shall keep my pledge, and not force the Estimates, but I make an earnest appeal to the Committee to allow us to

take this and the following non-contentious Votes.

MR. T. M. HEALY: It is absurd to think of taking the Secret Service Vote to-night.

*MR. W. PRITCHARD MORGAN (Merthyr Tydvil): I cannot consent to the suggestion of the right hon. Gentleman that we should not ventilate our grievances in this House. We have now nearly arrived at the end of the Session, and no opportunity has been afforded to private Members to ventilate their grievances until this hour—after midnight. I shall occupy at least one hour in calling the attention of the Committee to the condition of the gold industry in Wales. I have determined, at whatever cost, to ventilate our grievance before the Committee. In 1888 the Chancellor of the Exchequer promised eight or ten Members of this House he would give the matter his consideration. A little while ago I sent him a round robin signed by 73 Members asking him to receive a deputation, but he has not had the courtesy even to reply. He promised on the Vote on Account he would give the matter his immediate attention.

*MR. GOSCHEN: May I interrupt the hon. Gentleman? So far has our attention been given to the matter that we have changed the scale and sent it to the lessee of the mine.

*MR. W. PRITCHARD MORGAN: I regret to say I cannot withdraw from the position I have taken up. It is true the Government have changed the scale, but even the new scale is both monstrous and absurd. I intend to support the Motion to report Progress.

MR. LLOYD-GEORGE: I regret I cannot respond to the appeal made by the Chancellor of the Exchequer. The matter I intend to raise is one of considerable interest to my constituents, inasmuch as the working of an important quarry is involved.

(12.42.) Question put, and agreed to.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

SUPPLY—REPORT.

Resolutions [15th July], (see page 1274) reported, and agreed to.

REDEMPTION OF RENT (IRELAND) BILL.—(No. 377.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(12.47.) MR. T. M. HEALY (Longford, N.): I presume the Government will assent to the Amendment, which is merely formal.

Amendment proposed, in page 1, line 11, after "Commission" to insert "after an application in the prescribed manner."—(*Mr. T. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 1, line 12, to leave out "renewal fines (if any)," and insert "circumstances of the case."—(*Mr. T. M. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not think there is any objection to introducing words which would bring in every circumstance material, but it would be a pity to leave out the words "renewal fines," which are very important. I suggest that the hon. and learned Gentleman's view would probably be adequately met if after the word "any" his words were added.

Amendment, by leave, withdrawn.

Amendment proposed, in page 1, line 12, after "any," to insert "and all the circumstances of the case."—(*Mr. T. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

MR. T. M. HEALY: I presume the Government will assent to my next Amendment; and, acting on that assumption, I should like to ask if they have considered at all how the Land Commission is to ascertain whether there is

a full agricultural rent or not? Of course, if they only look at the valuation and compare that with the rental, legal examination or anything of that kind would not be required, and it was with that view that I wished to leave out the words "renewal fines (if any)."

Amendment proposed, in page 1, line 14, after "to," to insert "apply in the prescribed manner to"—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I have no objection to the Amendment, but I must point out that it would be impossible for the Government to assent to an amendment of the Bill which would allow these leases to be broken in cases where the full agricultural rent is not being charged.

MR. T. M. HEALY: I quite concur, and I think it would be very unjust if any such view were insisted upon. I think that in 1887 the Government stated that 20,000 leaseholders had applied. Even supposing 10,000 men apply, and say they hold at full agricultural rent, that would entail a very long inquiry, and, in the meantime, men would have to go on paying at the old rate. I assume the Land Commission in all these cases will have to hold some inquiry. I think the Government are imposing a condition which is very stringent, and will lead to a block in the system.

Question put, and agreed to.

MR. T. M. HEALY: The Government's view of this Bill is the one I desire to carry out in this Amendment, but I think without the Amendment a view foreign to the view of the Government will prevail. As I understand, the view of the Government is that when a tenant desires to redeem his rent or desires to have it ascertained whether injustice prevails, he should go to the Land Commission. If the Land Commission declares that he holds at a full agricultural rent, the man will go to the landlord and ask to be allowed to redeem. The landlord will then say "Yes" or "No." You provide that the tenant shall redeem his rent by paying such a capital sum as may be agreed upon; he would have to make an offer of a capital sum. That is not the view of the Government. Their view is that the tenant should put to the landlord the point, "Will you allow me to redeem or not?" and not be required to offer any capital sum. I therefore beg to move the Amendment standing in my name.

Amendment proposed, in page 1, line 14, after "rent," to insert—

"Whereupon, if the lessor or grantor, as the case may be, signifies his consent within the prescribed time and in the prescribed manner, including consent to such sum being retained as guarantee deposit as the Land Commission may think necessary, then such redemption shall be effected."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It will be necessary, under the Land Purchase Bill, to retain a guarantee deposit in every case of sale.

MR. T. M. HEALY: I submit that the position is wholly different in the case of redemption of rent and the case of land purchase. Land purchase is agreed upon by agreement. The landlord knows he is going to get four-fifths in land, and that another one-fifth is to remain out for 15 years. All the landlord has to do to block redemption is to say, "I will not allow my one-fifth to remain for 15 years; give me cash down." The landlord knows that if he did not agree to redemption the tenant would take him into Court and insist upon having a fair rent fixed. Accordingly, I submit this is absolutely necessary and——

It being One of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

And, it being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at one minute after One o'clock till to-morrow.

HOUSE OF LORDS,

Friday, 17th July, 1891.

PUBLIC HEALTH (LONDON) BILL.
(No. 201.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 239.)

FACTORIES AND WORKSHOPS BILL.
(No. 232.)

Reported from the Standing Committee with further Amendments: The Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Tuesday next; and Bill to be printed as amended. (No. 240.)

RANGES BILL.—(No. 238.)

Reported from the Standing Committee with a further Amendment: The Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Monday next.

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.—(No. 223.)

Reported from the Standing Committee without Amendment; and to be read 3ª on Tuesday next.

INFLAMMABLE CARGOES IN PASSENGER SHIPS.

EARL DE LA WARR: My Lords, I wish to give notice that early in next Session I propose to move for a Select Committee to take evidence and report upon the question of inflammable substances being carried as cargo in passenger ships, and to consider whether legislation on the subject is desirable.

THE CHANTREY BEQUEST.

QUESTION—OBSERVATIONS.

LORD STANLEY OF ALDERLEY, in rising to ask Her Majesty's Government whether the Trustees of the Chantrey Bequest are not infringing the intentions of the bequest by purchasing pictures from old Academicians instead of from rising artists; and whether Her Majesty's Government have used their influence to dissuade the Chantrey Trustees from persisting in outraging the feelings of their Catholic fellow-subjects, said: My Lords, before I address you on the subject of the notice which stands on the Paper in my name, I desire to state that I do not hold any brief either from the Roman Catholics or from the Dean of Durham and those members of the Church of England who equally dislike the profanation of sacred things. Neither have I consulted with Roman Catholic Peers further than to ascertain that I was not trespassing upon ground which would be more properly occupied by one of them. I would add that I had some reluctance in putting down this notice because of a recent occurrence which induced fear on my part that there might be some risk of a speech on such a subject in case of my sudden death leading some member of that Church to claim me as an adherent, whilst I am simply desirous of doing what I conceive to be an act of justice. The reasons which have induced me to put down this notice are, first, certain articles in the Codes, which I will refer to later, and also that one of Her Majesty's Ministers has expressed the opinion that this question is one to be settled by public opinion; and there is no place more fitted to guide public opinion than your Lordships' House. One of my Radical friends has told me that this House does not initiate public opinion, but that it guides and perfects it, and I hope that the utterances of some of your Lordships may give that tone to public opinion which is wanted to remove the scandal which has arisen and the heartburnings which it has caused. A very general impression prevails that the bequest of Sir Francis Chantrey was intended to encourage rising talent; this impression probably originated with some friends of the late Sir Francis Chantrey who gave it currency, and I do not believe that it has any other foundation. It is, however, certain that his will directs that the pictures to be purchased from the funds he bequeathed should be selected for their artistic merit alone, without favouritism, and not with regard to the needy circumstances of artists whose

works do not reach the highest artistic merit. He also extended the benefits of his bequest to men of all nations, provided that their work has been executed in England. The exact words of the will are these :—

"And my will further is that such President and Council in making their decision"

—that is in selecting pictures to be purchased from the fund—

"shall have regard solely to the intrinsic merit of the work in question, and not permit any feeling of sympathy for the artist or his family by reason of his or their circumstances or otherwise to influence them."

Now, I do not wish to press more severely than I can help upon the author of the incriminated picture; but I have no hesitation in accusing the Trustees of the Chantrey Bequest, or the Committee of Selection, or whoever it is that acts for them, of favouritism and incapacity. They have to select the best picture of the year, and they have passed by such pictures as "The Emperor's Choice of a Wife," "The Doctor," "The Return of Proserpine," and other paintings superior as works of art to the one they selected. The picture they selected is a historical picture, but it is historically untrue. Granted that they did not know it is untrue—that it is a libel in paint, granted even that it were historically true, it is not high art; for the rule of Horace that Medea should not kill her children before the public applies equally to pictures, and the Chantrey Trustees ought not to have given the prize to a picture the indecency of which shocks every beholder. Many of your Lordships may have seen the picture of Susanna giving thanks and praise after her acquittal on the false charges of the Elders, in the Berlin Gallery of the German Exhibition. If His Majesty the King of Prussia and Emperor of Germany had seen that picture and had then been shown Mr. Calderon's performance as the champion picture of England, he would possibly have repeated the saying of his Royal ancestor, that the Sovereign of England had not got a painter fit to paint a religious picture, a taunt which led Hogarth to paint his burlesque picture of Paul before Festus, and to commemorate the saying of the King of Prussia by inscribing it at the foot of the print of his picture. In naming Mr. Calderon's picture with the "Susanna" in the Berlin Gallery as a religious picture, I am only following the artist's apologists, who have described it as a reverent picture. That the Trustees of the Chantrey Bequest or their Committee of Selection should have been so blind to its defects shows the measure of their incapacity, and this is not the first time that they have given dissatisfaction, and that public complaints have been made. A few days ago I visited the South Kensington Museum to look at some of the pictures purchased under this bequest, and to my surprise I found among them a picture which some years ago at the Academy had excited the derision of the late Sir Philip Egerton and myself on account of the colouring being so untrue to nature. As the painter of that picture was in no way deserving of blame such as attaches to the painter of the picture purchased this year, and as he may still be living, I will not describe it more closely. If the Chantrey Trustees should make another unfortunate selection, such as this which they seem to cling to, it will probably lead to an appeal being made to the Charity Commissioners, and to those gentlemen framing a scheme for the better administration of this bequest, and for more impartial selection on artistic grounds alone, in accordance with the will of the testator, by a jury of foreigners. The Chantrey Bequest is of very considerable value. I believe it amounts to £80,000, so that I think it would be as deserving the attention of the Charity Commissioners as the Parish Piece of Leicester. The exhaustive Report which they made on those 17 acres will show the Chantrey Trustees what they might have to expect. If, instead of consulting a mediæval Latin text which he misunderstood and garbled —for Mr. Calderon omitted the next sentence, which plainly says that the confessor of St. Elizabeth held her back from renouncing all her possessions, so that she might pay her husband's debts —if Mr. Calderon had consulted Butler's *Lives of the Saints* he would have found nearly at the beginning of the account of her life that in her early youth she was devoted to almsgiving and to prayer; and the author added—

"If nobody was there, prostrating herself upon the ground: her devotion she indulged with more liberty in her private closet."

Mr. Calderon might have understood from this that a woman who thus shunned observation was not likely less than 10 years later to desecrate herself in the way it has pleased him to depict. It is hardly necessary to explain why this picture of St. Elizabeth outrages the feelings of Roman Catholics and of all religious people, yet, as one of the principal papers of the Metropolis of secularism has denied that any feelings are outraged, a few words on this point may perhaps be allowed. The outrage is twofold. In the first place, the picture insults the memory of a woman who won the veneration or respect of all those who were acquainted with her life. The life of St. Elizabeth is very similar to that of Queen Elizabeth of Portugal, whose birth was 64 years later. Both devoted themselves almost entirely to works of charity, but there was one great difference between them, that the Portuguese Queen lived to the age of 65, while the Margravine only lived 24 years. As regards the Queen of Portugal, her charity was so harassed by her husband that the bread she was taking to the poor had to be disguised as roses at the gate of Coimbra. Some authors have attributed this incident to the Margravine, but she had no occasion for it, for it is narrated that her husband, on one occasion, when one of the officers of his household complained to him that his wife was ruining him, asked, "Has she alienated any of my land?" and when the officer answered "No," he was told to be silent. St. Elizabeth of Hungary was canonised by Pope Gregory IX., after long and mature deliberation, in 1235, only four years after her death, an unusually short time. Roman Catholics naturally feel aggrieved at an insult to this saint, and those who are not Catholics may well think that the merits of the Margravine are so well authenticated by history that she ought to have escaped from contumely. But, in addition to the insult to the saint, the Roman Catholics have other grounds of complaint. The picture is a libel on their Church, for it represents their priests as bringing a woman naked into a church in the presence of men, which might cause ignorant Protestants to believe and to say that these are the usual ceremonies for nuns taking the veil. I referred at the outset to certain articles in the Codes which have induced me to bring this matter before your Lordships' House; and the most obvious of these is the command or maxim of doing to others as you would have others do to you. I think that maxim might have been more present in the minds of those Academicians who dictated the very curt reply which was sent to the remonstrance of the Duke of Norfolk. If the Parliamentary printers had not been so dilatory, and if the Report of the Mission to Rome had appeared earlier, and had not been delayed until so late as a few days ago, perhaps those who wrote that answer would have shown him a little more respect. There were two courses open to those who sent that letter. First, they might have followed the example of the Gainsborough Magistrates, who, finding they had illegally sentenced a man to hard labour, clubbed together to indemnify him, or they might have taken a hint from Mr. Anstey's very entertaining book, *The Fallen Idol*, and have asked Mr. Calderon to occupy an hour or two on a Sunday morning in painting the habit of undyed wool which the Margravine received from Conrad of Marburg, her confessor. But assuming the command to do to others as you would be done by, is imperative, I think the obligation is even more imperative to do to others as you have been done by. In the course of last year certain persons wrote to me to ask for assistance in a similar case where their feelings were being outraged. I wrote to a Secretary of State on the matter, and I was very glad to have the satisfactory answer that he had already anticipated my wishes, and those who desired me to write, and that he had rendered them justice. But there is another article in the Code which is much more definite and much more to the purpose. The noble Marquess at the head of the Government has more than once publicly praised the principal framer of the Indian Penal Code, Sir James Stephen. I trust that the noble Marquess will, on this occasion, follow the spirit of one of the best articles in that otherwise too Draconian Code. I refer to the article which prohibits one Indian subject from insulting the religion of another. Is Benares, I would ask, more inflammable than Belfast, and if the

restriction is valuable and reasonable in India, ought not its spirit to be followed in this country also, when a portion of the Queen's subjects, through their authorised spokesman, protests against an insult to their religion being permanently established in public galleries maintained at the national expense? If it be thought by any of your Lordships that I am expecting or asking too much I will put the question the other way, so as to obtain a *reductio ad absurdum*, and ask if our painters and Academicians are to be at liberty to placard the walls of our National Galleries with pictures which are insulting to some of us at home, why are Hindoos and Mussulmans to be debarred from insulting one another, and smearing the thresholds of their places of worship with the blood of pigs and cows, which is the usual method of treading on the tail of the coat of religious or political opponents in India? I do not wish to make a joke of the matter, but I think that shows that the same feelings of forbearance ought to be shown in this country as have been imposed in India by one of the best articles in the Indian Penal Code.

VISCOUNT HARDINGE: As I happen to be one of the Chantrey Trustees, I wish to say one word on the question which the noble Lord has brought forward. I think he has no accurate information at all as to the character of that body, or how the pictures are purchased. The Chantrey Bequest is administered by a Committee presided over by the President of the Royal Academy, and they are principally laymen. I happen to be one of that body. The pictures are bought by the President and the Council, and the President and Council buy those pictures out of the funds committed to them on their own sole responsibility. The noble Lord assumes that the President and Council have acted *ulira vires* in purchasing these pictures by the Royal Academicians. I can assure him that is not the case. The Chantrey will leaves the Council perfectly unfettered, and, at their discretion, they can purchase any pictures they please as long as they belong to the British School. Sir Frederick Leighton states in a private letter which he wrote to me that

> "The purchases of these Chantrey pictures represent young and old insiders and outsiders, Idealists, Realists, and even Impressionists."

So that, in fact, this Chantrey collection, instead of being confined, as the noble Lord thinks, merely to Academicians, embraces nearly the whole range of Art. Well, that answers, as far as I am able to do it, the first part of the noble Lord's question. Now, the second part, whether Her Majesty's Government have used their influence to persuade the Chantrey Trustees from persisting in outraging the feelings of their Roman Catholic fellow subjects, is a matter which it is not my business to answer, and I shall leave some Member of the Government to answer that portion of the question. But before they do so I must draw the noble Lord's attention to a paragraph in a letter which has been addressed to the Duke of Norfolk, as President of the Catholic Union of Great Britain, in which the President says—and I must say I think it is written in a tone with which our Roman Catholic fellow countrymen ought to be well satisfied, for it is written in decidedly an apologetic tone—

> "The President and Council deeply regret to find from this that the exhibition of the pictures has raised a strong feeling of indignation among Roman Catholics. Nothing the President of the Council will know would have been more foreign to the mind of the artist than the thought of showing any disrespect to St. Elizabeth, or wounding the feelings of those who share her faith, and in that they note with satisfaction that justice is done to them by the Council of the Union. They would venture indeed to affirm, and they are in a position to do so, that the picture was conceived and carried out in a grave and truly reverent spirit."

Now, I venture to think that the gentlemen of the Union might have been fairly satisfied with that answer; but, as I said before, it is for the Government to answer that part of the noble Lord's question more fully than I have done.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, after the speech of the noble Lord who has just sat down, my hope is dissipated that he would have undertaken to answer on this subject himself. The noble Lord seeks to make me responsible for the action of the Trustees of the Chantrey Bequest. I think it would be rather hard on me to do that,

My burden would, indeed, be considerable if I were to be made responsible for the action of every Trust and every independent Corporation in the country; and, perhaps, I may venture to say that in a matter of art it is rather hard to call upon me when there is a distinguished representative and guardian of art sitting near me, the Lord President of the Council, whose business it is to guard these questions. My noble Friend was kind enough to warn me that this question was coming forward a few days ago. It was very courteous of him, and gave me an opportunity, if I could have availed myself of it, of seeing this picture. Unfortunately, I have not been able to do so. I have been very much engaged, and regret that I have not been able to see the picture. The only idea I have conceived of it has been derived from a picture I saw in *Punch* of Zæo showing her back to members of the County Council. I am wholly unable to enter into the discussion to which the noble Lord invites me, until he can lay down for me some canon as to the course artists should pursue in dealing with the question of clothes or no clothes. Artists take a different view of the subject from that taken by the majority of mankind, and some of the matters which they represent as wholly innocuous and, indeed, praiseworthy would, if translated into ordinary life, attract the attention of the police. As far as my experience goes—though that is a small one—even in the representation of sacred subjects I have observed on the part of artists that a desire to exhibit their knowledge of the human form and their command of flesh tints has overcome the inclination to clothe saintly persons with a sufficiency of garments. I would invite my noble Friend the next time he goes on the Continent to visit the Magdalen of Guercino at Naples and the Magdalen of Correggio at Paris. Neither of these two pictures would meet the views generally entertained as to clothing at the end of the 19th century, and yet I have never heard any suggestion of profanity made against either of the artists of these pictures, which are exhibited in countries where the Roman Catholic faith prevails. I am, therefore, unable to say to my noble Friend that if I had had the power I should have interfered with the Trustees of the Chantrey Bequest on this occasion, because I fail to see what is the canon of art which he would lay down in this matter. There is one topic of consolation, however, which I would suggest to the noble Lord. I have not been myself to the gallery in which this picture is to be placed. But some friends of mine have been there, and they assure me that it is in a place of great seclusion suited to the exhibition of works of this kind. They went one Saturday afternoon; it was a free day, and there was not a soul in the place. Well, if that is so, I would ask my noble Friend to kindly consider whether any better disposition of this picture could have been made. If the picture had been sold to a a private owner it would have been exhibited by him in his gallery, and all kinds of persons, including maid servants and others, would have seen it every day; but placed where it is it will be reserved for the study of those who are practising art and who are superior to the prejudices which have invaded the mind of my noble Friend, and, at all events, it will be deprived of the power either of injuring public morality or offending the prejudices of religious minds. I can only say, in reply, that I entirely disbelieve that the artist had the slightest intention or belief that he would offend the feelings of any Religious Body, that I do not think such pictures ought to be allowed to offend them, and I do not think that the picture will have the tendency in any degree to diminish the reverence which I am sure all who are acquainted with the subject feel for the memory of St. Elizabeth of Hungary.

*LORD HERRIES: My Lords, I do not wish to prolong the discussion on the subject of this picture; but as the opinion of Roman Catholics has been mentioned, I think the noble Marquess has totally misapprehended the reason for the objection which has been raised by Roman Catholics to this picture. The reason that Roman Catholics have objected to this picture is that the picture represents a gross act of indecency committed in the presence of men by a lady whom they have all held in the highest veneration. That is the reason Roman Catholics object to this picture; and when we are told to look at the picture of Magdalene and others in different galleries in various parts of

Europe, it will be seen that they are not in comparison. Those are pictures of saints represented alone, and they are supposed to be represented in ideal form; but this is a picture of a saint, a Queen of Hungary, who has been held in the highest veneration for centuries, and who is supposed to have thrown off every stitch of clothing in the presence of men. That is an act which, I venture to say, neither she nor any other canonised saint would have performed. I think, therefore, we have very great reason to object to the representation of what is supposed to have taken place. I think that a work of art should be a true representation, and, however you wish to represent ideal forms, you must still have some regard to historical facts, and show what really did take place. I believe, and I think it has been proved most satisfactorily in the correspondence which has been before the country, that this saint never did perform this act. I have got here a passage from one of her biographies, which almost proves the opposite. It says of this saint, "She wore underneath the golden purple simple woollen garments, and a hair shirt which she never laid aside," and it shows that she would never have performed the act shown in this picture. She is there kneeling, it may be said, in a reverent position, and I daresay, as far as the artist is concerned, he wished to make it as reverent as possible, but she is shown naked in front of an altar in a public church (for this act is supposed to have taken place in a public church), without a vestige of clothing. I say this is an act which she certainly could not have performed. But there is another reason for objecting to it: We are aware that the British public often take their facts of history from Shakespeare, or Sir Walter Scott, or even from Harrison Ainsworth, and it is not impossible, therefore, that in future this picture may be taken as a proof that this occurrence did take place. I have been informed that even whilst this picture has been exhibited in the country a man was seen to walk up and down in front of it, and was heard to say in a loud tone of voice, "You see you Protestants what is expected from your daughters if they turn Roman Catholics." This may be thought by some a matter to laugh at; but, at the same time, I say we are, as Catholics, aware that assertions of that sort are made. There is no more solemn and impressive sight than the ceremony of clothing a nun. When a lady comes forward to make her vows in a church she is clothed in bridal costume, and after taking her vows she is led away and comes back, having taken off her worldly garments, clothed in the dress of a nun. That is a most impressive ceremony; and to say that this picture is the sort of thing that takes place when nuns are clothed does a very serious injury to Catholics; and I can assure your Lordships that I have not spoken to a Catholic lady who is not filled with the greatest horror and disgust at such a treatment of the subject in reference to a saint for whom we have always had so great a veneration. I only wish your Lordships would look at the life of Queen Elizabeth of Hungary by Comte de Montalembert, and you would recognise that such conduct would have been impossible on her part. I would not have brought the subject before your Lordships, as it is a distasteful one to Roman Catholics; but, as it has been brought forward by the noble Lord, I think it proper to make my protest against this picture being bought and considered an example of the British Art of this century.

COUNTY COUNCILS AND THE LOCAL GOVERNMENT BOARD.

QUESTION—OBSERVATIONS.

*The Marquess of RIPON, in rising to ask Her Majesty's Government on what grounds the Local Government Board assume to themselves the right to compel County Councils, who are unwilling to do so, to make compensation to the officers of Local Boards and others whose interests are supposed to be affected by orders made under the powers conferred upon County Councils by Section 57 of the Local Government Act, 1888, said: My Lords, under the Local Government Act of 1888 a power is given to the County Councils, and, indeed, I may say a duty is imposed upon them, to make orders in certain cases in which it is proposed to extend or alter the boundaries of local districts. Under that power, in many parts of the country, numerous orders have been made. The Act lays

down the subjects with which County Councils may deal in regard to these matters, and in the section of the Act explaining the powers of the County Councils these words occur—it is Section 57 of the Local Government Act, 1888—

"Any scheme or order made in pursuance of this Act may make temporary provision for regulating the duties, position, and remuneration of officers affected by the scheme or order and applying to them the provisions of this Act as to existing officers,"

—that is to say, the provisions of Section 120 of the Act, which gives to the existing officers of County Councils a claim to pensions and compensation in the case of their offices being abolished. Those words, in their apparent meaning, leave the County Councils a full discretion as to whether they shall or shall not make such provision for compensation or pensions in the orders which they may issue in regard to the question in hand; but there is a clause in the Act which lays it down that these orders prepared by the County Councils shall receive the confirmation of the Local Government Board; and that clause provides that the Local Government Board may modify the orders as they may consider necessary for carrying into effect the objects of the orders. Under that power of modification, the Local Government Board claim to themselves the right to insist that the officers of the Local Bodies, Local Boards, and others affected by any of these orders shall be entitled to compensation and treated as if they were existing officers of County Councils. To an ignorant layman like myself it certainly would not appear to be obvious that under that power of modification the Local Government Board had any right to order the County Council to provide compensation in matters of this kind if they do not think fit to do so, more specially as the words, as I have said, are specially confined to the objects of the order; and when the order makes no allusion whatever to this question of compensation, it is not, perhaps, very easy to see how such compensation can come in as one of the objects of an order which does not allude to it; but the Local Government Board have informed the County Council with which I am connected that they have taken the opinion of the Law Officers of the Crown on the subject, and that the Law Officers say they have this power. Of course, not having seen the case submitted to the Law Officers, it is impossible for me to say what may be the exact bearing of their opinion; but I am not so presumptuous as to attempt to contest the opinion of the Law Officers on this point. The Local Government Board may have the power; then, if so, I want to know whether it is wise and reasonable that they should exercise it? There is a strong feeling in many County Councils, which I can say is very prevalent indeed in the West Riding County Council, against compensation and pensions, and they have omitted from their orders any provisions of that kind. I do not remember, in the cases that have been dealt with by that Council, that any body has raised this question at all. It is brought in as a measure *ab extrâ* by the Local Government Board themselves, and it appears to be their general intention to insert this clause, as far as I can understand, as a kind of common form clause in all their confirmations of orders made in County Councils in this respect. That may not be so, but I have heard of it in various parts of the country, and I am inclined to think that they do intend generally to enforce it. If they do intend generally to enforce provisions of this sort they ought, I think, have put them into the Act of Parliament. The Act of Parliament does not lay it down as a general rule; it leaves it to the discretion of the County Councils whether they will adopt this principle or not; and if the Local Government Board are going to make compensation a general rule, I say that those who brought in the Act of 1888 ought to have put a clause into the Act to that effect, and have given these persons a title to compensation just as if they were existing officers of the County Councils. But they did not do so. The County Councils have believed up to this time that they had free discretion in dealing with these matters. Suddenly they are told that that discretion is to be taken away from them, and that the Local Government Board insists upon their making compensation in all these cases. No doubt the compensation does not come out of the general

county rate; it will come out of the rate of the district affected; but the order is to be made by the County Council. It is in the order so made by the County Council that the Local Government Board import this matter of compensation; and I certainly do myself think that they are going, if not beyond their legal powers, certainly beyond their just and reasonable powers in insisting without any regard to the feelings or desire of County Councils in this matter that in all cases, or nearly all cases in which these alterations of boundaries are made—and they are being made in some parts of the county very widely just now—this hampering clause of compensation should be introduced. If that is so, the only effect will be that a great many County Councils will refuse to entertain these proposals at all; and I think the powers of the Local Government Board are being stretched in a manner which, even if legal, is certainly unreasonable and unwise.

*LORD HENNIKER: My Lords, perhaps the best way to put the matter before your Lordships is to give the facts of the case upon which this question is brought forward—that is, with regard to the County Council of the West Riding of Yorkshire which the noble Marquess mentioned just now. The County Council of the West Riding of Yorkshire made an order under the 57th section, which the noble Marquess has referred to, for the formation of a new Local Government district. This district was to take in parts of three urban districts and a part of a rural sanitary district. As the noble Marquess has said, this order under the Act of 1888 was submitted for confirmation to the Local Government Board, and the section under which the order was confirmed provides that the Board may make such modifications therein, as the noble Marquess has stated, as they consider necessary for carrying into effect the objects of the order made as the Local Government Act provides. The Act provides in this way—this is a short summary of it—That every officer who, by virtue of the Act, or anything done in pursuance or in consequence of the Act, suffers any direct pecuniary loss by the abolition of his office, or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him for such pecuniary loss by the County Council to whom the powers of the authority whose officer he was are transferred under the Act. The object of the County Council was to set up a new administrative area, and, therefore, the setting up of a new administrative area in confirmation of the order involved necessarily an alteration of position and also of the emoluments of the officers of existing authorities. Before the Act of 1888 passed such a district could only be formed by a Provisional Order under the Public Health Act. That Act provides that if an officer is removed or deprived of the whole or part of his emoluments the Local Government Board may award compensation as they think fit. Moreover, it has been the constant practice of Parliament of late years, in local Acts extending boroughs or otherwise altering areas under local Acts, to approve of clauses providing for compensation to officers injuriously affected by the changes brought about by those Acts. The rule, therefore, seems to have been established that where local areas of administration are altered and dealt with in such a manner that the pecuniary interests of existing officers may be injuriously affected, it is a necessary and proper course to provide compensation clauses under which any just claims by such officers can be dealt with. The Local Government Board propose, in the case in question, to follow the course which has been adopted in other similar cases since the Local Government Act was passed, and to apply to any officer of any Local Authority the provisions of that Act as to compensation for loss of office or emoluments, with the necessary modifications. The West Riding County Council raised objection to this proposal, and the Board, before proceeding further, thought it right to submit a case for the opinion of the Law Officers of the Crown. The Law Officers advised that it was clear that some provision should be made for compensation in the case of officers affected by the order; and that as the language of Section 120 of the Local Government Act as to compensation, though distinct with regard to the principle, did not in terms refer to the case of an order under Section 57, it was clear that similar provisions should be made in the case of orders of the character re-

ferred to, and that it was within the power of the Board to make such modifications of the order of the County Council as they proposed. It was under these circumstances that the Board inserted in their Confirming Order the provisions to which exception has been taken by the noble Marquess and by the County Council of the West Riding, a similar clause having been introduced without objection in every other case in which an order has been made by a County Council for the constitution of an urban district under Section 57 of the Local Government Act of 1888. I hope I have answered the noble Marquess's question. The Local Government Board are of opinion that they have the power, and that it is a power which they ought to exercise.

THE DUKE OF RICHMOND AND GORDON: My Lords, I did not intend to take any part in this discussion, because I was in hope that my noble Friend would have given the noble Marquess opposite a satisfactory reply. I confess I was very much astonished to find—it is my ignorance no doubt — if a County Council thought it advisable to grant pensions or retiring allowances to any of their officers, that having agreed to do so by the resolution passed by the Council, that may be overridden by the Local Government Board, who may say they think that ought not to be. The noble Lord who answered the noble Marquess has given the opinion of the Law Officers of the Crown, as I understand; but it would have been more satisfactory, to my mind, had he given us the case which was put before the Law Officers, because we should then know what it was exactly that the Law Officers were answering. I have frequently found, when you get a legal opinion, that it requires to be read by the light of the case which has been put before the gentleman giving you that opinion. The noble Lord alluded to a state of things which had taken place before the passing of the Local Government Act of 1888, when there were no districts formed, and I think he quoted what took place then as a justification of what has been the practice apparently, in some cases, of the Local Government Board now. But the noble Lord must have lost sight of this fact, which I think is important, that at the time when he was alluding to this practice there was no County Council in existence, and, therefore, the Local Government Board had not to overrule resolutions which had been come to. I confess I am rather startled at the opinion expressed, that the Local Government Board were within their powers in the action which they have taken, and I think it would be rather surprising to County Councils to find that if in, as they consider, the exercise of their discretion, they wish to pension officers under them, they are liable to be overruled by the Local Government Board, who say, "You know nothing about the merits of your own officers, but we claim to know more about them than you do, and the proposal which you make to pension them is one we cannot allow." I may have taken a wrong view of the situation, but, judging from what has happened in the West Riding, I trust the same thing may not happen in West Sussex, because I am afraid my County Council there would be astonished to find themselves in that position.

*THE EARL OF KIMBERLEY: We do not feel quite clear, from the answer of the noble Lord, as to what the Local Government Board intend to do. As regards the Law Officers' opinion, which, of course, I bow to entirely as a layman, it does not seem to conclude the point raised by the noble Marquess by any means. The point, as I understand it, is this: Under the Local Government Act there is a distinct provision that all the officers who were at the time serving under the Magistrates," and who are transferred to the County Councils, if they are removed from their offices are entitled to compensation. That is an absolute enactment, leaving no discretion at all. But then comes something quite different. There are, it seems, officers serving in places where the County Councils may make a new Local Government district, or alter it by adding to it, or grouping the districts, or in other ways; and the question has arisen, as I gathered, whether or not the officers in such districts, who may be displaced by the orders thus made by the County Councils, are entitled to compensation. Now, I gather from the opinion of the Law Officers that it is not absolutely clear that they are entitled to compensation

under the Act; but they say they ought to have compensation, which is quite another thing. Then it is discovered that the Local Government Board may, under another clause, which, as I think, was inserted for a totally different purpose, import into it this order creating a Local Government district, or altering it, the clause in the Act requiring compensation to be given, because all such orders require confirmation by the Local Government Board. I think I am right in that; the Local Government Board may, under the clause in the Act, insert such modification and conditions as they deem necessary. Now, the view I take of it is this: They deemed it necessary that there should be compensation in all these cases. They then put into the order a requirement that there should be compensation, and by that contrivance, which is really nothing more or less than driving a coach and four through the Act of Parliament, they create this right to compensation which is not given by the Act of Parliament itself. I think that is very sharp practice and very objectionable. I can quite understand there may be cases in which the Local Government Board would think it right to interfere and say compensation should be given; but I think such a case ought to be decided on its merits. Each case ought to be decided with reference to the tenure of office of the officers who may be displaced—the time they have served, and other considerations which may be weighed in deciding the matter; and I gathered—and upon this point I want information—that the Local Government Board have determined, in every case where an order has been made by a County Council to compel compensation, to make those orders subject to the same requirements as the Act of Parliament as regards the case of officers serving under the Magistrates. If that is not the case, I should be glad if the noble Lord will tell me; and if it is the case, I think this is going rather beyond what the Act of Parliament really intends.

*THE MARQUESS OF SALISBURY: I have no knowledge in this case——

*THE EARL OF KIMBERLEY: No, more have I.

*THE MARQUESS OF SALISBURY: But as I gather, and I have listened very carefully to the Debate, it is desirable we should have further information. My impression is that a good deal turns on small points, and it would be more convenient for elucidating the true state of matters here that the noble Marquess should move for Papers, so that we may know exactly what the Local Government Board has done. I think without that we shall hardly come to a satisfactory solution.

*LORD HENNIKER: I may be allowed to point out to the noble Duke behind me (the Duke of Richmond and Gordon) that I think he has rather misunderstood the case. The Local Government Board have never wished, or attempted to interfere with a grant of compensation to the servants of County Councils. This was simply a question of the County Councils making an order under the provisions of the Local Government Act, and they made another for confirmation by the Local Government Board that a certain district should be formed. Under that order the Local Government Act empowers the Local Government Board to make an order, and then in making that order they can make what provisions they please as to compensation of officers. The noble Duke, I think, misunderstood that point.

THE DUKE OF RICHMOND AND GORDON: Not at all.

*LORD HENNIKER: Then, my Lords, as regards this case, which was laid before the Law Officers of the Crown, I did not bring it forward. It contains three pages of closely printed matter, and I do not think the noble Duke could expect me to do so. I merely read to your Lordships a *résumé* of the opinion.

*THE MARQUESS OF RIPON: I should have no objection to accept the proposal of the noble Marquess opposite (the Prime Minister), and move for Papers in this matter, only I am afraid it will not bring the matter very clearly before the House. I can only move for Papers in the case which is known as the Mytholmroyd case. If I move for Papers in that case, and they are laid before the House, they will only show what the Local Government Board did in that case; but what I want to know is, do the Local Government Board intend to lay down this rule in all cases irrespective of the merits of the cases A, B, and C? Are

they going to use this power of making compensation generally and thereby do what the Act of Parliament did not do—to make that compulsory on the County Councils which the Act of Parliament left in their discretion.

*LORD HENNIKER: The Local Government Board consider that they have acted in accordance with the Act in making these orders, and their present intention is to continue to make them.

FRANCE AND SIAM.

QUESTION—OBSERVATIONS.

*LORD LAMINGTON, in rising to ask Her Majesty's Government whether they can give any information as to the correctness of a telegram appearing in the *Standard* of 1st July, stating that the French had occupied the Province of Luang Prabang belonging to the Kingdom of Siam, said: My Lords, before putting this question, I may be allowed to make a few remarks upon it; for unless your Lordships are endowed with special geographical knowledge, I fear it will not be easy for me to make myself clear. The French are making claim to the Province of Luang Prabang in the Kingdom of Siam, and also to the whole district to the east of the great Mekong River. Their claims upon that territory rest entirely upon tradition, and in Indo-China, if claims are to be recognised which are based purely on tradition, the state of affairs would be rather involved, because the history of Indo-China has been one of constant warfare, and no doubt old traditional claims might be made for a wider extension of the old Kingdom of Cambodia, but on similar grounds a claim might equally be made by Italy to this Island because the Romans once held it. The district claimed by the French lies within the frontier between Annam and Siam. The recognised frontier between those Kingdoms is the watershed which lies to the east of the Mekong River. That represents the frontier, generally speaking, in one way, because the Mekong does not at the present time belong to the district of Annam. The French have at various times asked permission from the Siamese Government to have Consuls at Luang Prabang and other places on the Mekong River, and only last year they asked that the Customs Duties which existed on that river should be taken away in favour of themselves. It seems that they demand, and it is their intention if possible to get hold of, these territories. I have here a French paper of Tonquin, in which they claim the valley, and openly avow their intention of taking possession of the Mekong. Their own official Reports show it. They have been putting steamers of late on that river, and the new Governor, M. de Lannessan, is well known to entertain pronounced views on the subject of the extension of the French frontier to the west, and to be bent on a policy of aggression. I have had personal information which has clearly brought home to me that the French intend to make some territorial aggrandisement at the expense of the Kingdom of Siam. Within the last two days I have heard that the Siamese have taken alarm at the appointment of M. de Lannessan, and had sent their Princes along the eastern frontier. No doubt at the present time an attempt will be more likely to be made on the part of the French to carry their views on account of the Siamese Government endeavouring to run a railway from Bangkok to the town of Korat, which is in an easterly direction to the Mekong River, and which would be intensely disagreeable to the French. This country has, on former occasions, displayed interest on behalf of weak nationalities. We have put, or are putting, in order our frontiers with Siam, but the French have purposely left this undetermined, so that at any time when occasion presents itself they may make a further advance. Even if we had no sympathy with the Kingdom of Siam; and if, in this case, our feelings could not be aroused on the score of justice, our self-interest alone ought to prompt us to move in the matter. The trade of Siam is almost entirely in our hands. We have there thousands of British subjects, Malays, Burmese, Siamese, and Shans, all of whom are recognised as being under the protection of the English Government. It is not unlikely that with those interests and the further advance of the French in Siam there would be great difficulties arising if the French take possession of this Province

of Luang Prabang. I know from official French Reports they consider that if they once get possession of that place it will serve as a *point d'appui* to interfere with the northern Shan States, and your Lordships will be aware that they will then most likely come into collision with our Indian Government, because with the advance of the French to the Makang or by the acquisition of Prabang they would be nearly approaching our Burmese positions, and awkward questions of delimitation would be sure to arise. The frontiers would then be almost coterminous. Again, if further south they advanced beyond the Mekong, difficulties would occur with our numerous Burmese, Shan, Chinese, and Malay subjects to whom I have already referred, and who are recognised by the Siamese Government as under our protection. I repeat, then, it is to our interest that we should, if possible, help Siam at the present time. I only wish to point out, first of all, that Luang Prabang and the Mekong River belong to the Siamese; that the French have shown in various ways they realize it; that it is the evident intention of the French, if possible, to secure those territories, and that if we allow them to do so we shall in all probability drift into serious difficulties with the French; and I also think if a Power which is friendly to us, as is the Kingdom of Siam, is threatened in such a manner, we should, if possible, help them. I dare say the Prime Minister might be able to suggest some means of doing so, and with all modesty I would suggest that the chief European Powers might be induced to act in concert, and to clearly delimitate the frontiers of Siam; then, having done so, to guarantee the independence and integrity of the country in the same way as Belgium has her independence secured to her. I do not imagine, from my knowledge of the country, and the impossibility of military movements taking place during the wet season, that the French have yet taken over this Province of Luang Prabang, and, therefore, there is yet time for us, if we choose, to take action in the matter. In the words of one of the most able advisers of the Indian Government, I would urge upon your Lordships that we should never lose sight of the importance of supporting and strengthening Siam.

Lord Lamington

*The Marquess of SALISBURY: My Lords, my noble Friend has given us the interesting results of what must have been a very interesting journey in these distant countries of which he has just been speaking, and he has acquired a facility of dealing with Siamese names and with their pronunciation which, I hope, he will not expect me to imitate. I have made inquiries with regard to that place which he has referred to very often, Luang Prabang, which I believe is a very important place indeed in its own locality, and there is, I believe, no ground whatever for the rumour that the French have occupied it. I believe that the French are not within 100 miles of the place. My noble Friend speaks very confidently of what the intentions of the French are in the future. I should be sorry to hazard any opinion upon the subject; but I do not think it is quite fair, knowing the kind of intentions which English newspapers attribute to the English Government, to judge of the intentions of the French upon statements in a newspaper.

*Lord LAMINGTON: I said it was in a French newspaper.

*The Marquess of SALISBURY: Even in a French newspaper. I do not think I should be prepared to listen to statements in French newspapers of what the French Government intend to do. My noble Friend has mentioned two questions constantly in this matter which he dealt with without distinguishing them. One is the question of maintaining the independence of the Kingdom of Siam, and the other is the question of boundary as to where Siam ceases and Cambodia begins. I agree with him we have a great interest in the Kingdom of Siam and in its independence. I have not the slightest ground for believing that it is threatened, and I hope it never will be. The question of boundary must be dealt with, not by general statements, but by an examination of the points at issue. Any general statement on my part would be most unjustifiable, and could not possibly lead to any good. I do not anticipate that the remedy which my noble Friend suggests is a practical one. I do not think we should ever induce the Powers of Europe to guarantee the independence of Siam in the same way as they have guaranteed the indepen-

dence of Belgium. They have guaranteed the independence of Belgium because that is exceedingly important to all of them, and if I may use the word "guarantee"—though probably that is a term of art which I ought not to use—but they have, at all events, entered into engagements which are highly favourable to the independence of Belgium. The independence of Siam is a matter of great importance to us. I hope it is of great importance to the French, but I hardly know any other Power which has any strong interest in that country. Therefore, I do not think there is any possibility of appealing to that valuable instrument the European concert for the purpose of maintaining the independence of Siam. But I earnestly hope, and thoroughly believe, that the apprehensions which my noble Friend has expressed do not rest upon a solid foundation. The noble Lord may be assured of our great sympathy with Siam. I agree that the independence of Siam is of great commercial importance to us both in India and elsewhere; and I hope he will never live to see the day when we shall have to ask ourselves whether that independence is in any manner really threatened.

CHARTERED ACCOUNTANTS BILL [H.L.]—(No. 230.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, the object of this Bill is a very simple one. The calling of a Chartered Accountant is one of considerable importance. It is often provided that very important accounts have to be audited by Chartered Accountants, and there exist institutions connected with them and incorporated by Royal Charter in all the three Kingdoms. But it has been found that there is no means of preventing a person who is not a Chartered Accountant from holding himself out as such and practising his calling under the title of a Chartered Accountant. The object of this Bill is to prevent a person doing that which is obviously the means of deceit, namely, holding himself out as a Chartered Accountant when he does not belong to any society holding a charter. I hope your Lordships will see no objection to give a Second Reading to this Bill.

Bill read 2ª (according to Order), and committed to a Committee of the Whole House on Monday next.

PUBLIC HEALTH (SCOTLAND) ACTS AMENDMENT BILL.—(No. 228.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD HAMILTON OF DALZELL: My Lords, I regret extremely that a Bill of so much importance should fall to be moved by one of so little experience in your Lordships' House as myself. But I have been asked to take charge of the Bill by the Local Authority most interested in it; that is, the Local Authority of the Middle Ward of Lanarkshire, which has some 200,000 population and nearly £1,000,000 of valuation. The Bill passed through the Lower House without any opposition. It did not pass, however, without being considered, for several Amendments were made; but in the end it passed without any opposition whatever. I had hoped it might have been equally fortunate in this House. I am sorry it has not been so fortunate here, and, therefore, I am obliged to trouble your Lordships with a few words. I am very sorry it should not pass unopposed, because it deals with a very serious evil. The mineral districts in Scotland have lately been suffering from what is nothing less than an absolute water famine. Tens of thousands of people can scarcely get water. I know a very large village where the women and children have to go nearly a mile to fetch water, and those who will not do so have to get it from the ditches, dipping up the water with cups, though it is more than half mud. The origin of the mischief is that the mines which brought that large population to the district have, at the same time, dried up the springs, and the result is that water cannot be got in the neighbourhood, but must be got from long distances. It is impossible for these mining villages, however organised, however brought together in local districts as the law at present allows, to get that water for themselves. There is every readiness on the part of the Local Authority to carry out the necessary work. They have a

large scheme before them, but they find under the present law they cannot get the money to bring that water in. They find the present law to be unworkable. The law at present is this: There are two ways of providing water; one is by forming a water supply district, comprising the places which actually want the water, the area of which is regulated by the Sheriff, and he limits that area to the houses. No power is given to take any land around or any of the area under which these mines are working. The consequence of all this is that these districts are too poor to get the water for themselves. By the Act of 1867, under which these local water districts are established, the rate is limited to 2s. 6d. in the £1. There are now, I think, in the Middle Ward of Lanarkshire nine water districts. In three of those the assessment was thought to be so small that no water could be got, and in the other six the supply of water is very inadequate. This state of things cannot be improved, as far as we can judge, by any other means than by obtaining the present Bill. The only other alternative which must be adopted if this Act is not passed, is to assess the district under the Act of 1867 as altered by the Act of 1889, the money coming out of the general assessment of the county, and payable, half by the landlord, and half by the tenant. That is the law at present, and under it there is scarcely any limit, certainly none but the 2s. 6d. Therefore, if the present law is enforced, it might be possible to rate all the property in the district up to 1s 6d. or 2s. in the £1—that is to say, that the mineral owners may be assessed to that extent to provide water for other people. But by this Bill an alternative is provided. It is proposed by it that two rates should be levied—one a general rate called a public rate, to be levied over the whole district; but instead of the large sum which might be levied under the present law, it is by this Bill limited to 3d. in the £1, 1½d. on the landlord and 1½d. on the tenant. There is also to be a second rate called the domestic water rate, to be paid by the owners of the property to which the water is supplied. Those two rates combined would enable water to be supplied to the whole district, and without, as I think, doing injustice to anybody. I would only add that the Bill is not compulsory. It cannot take effect until the County Council shall, upon the application of a District Committee, have passed a resolution at a meeting to be called after special notice, that the resolution will be submitted to them. Any of your Lordships who belong to County Councils will, I am sure, feel pretty confident that no County Council of above 60 members will levy a rate which is unfair, more especially as it has first to be passed by the District Committee consisting of above 70 members. Those two bodies must both have agreed before you can have the rate made. The object of the Bill, I may say, to meet one objection to it could not have been obtained by a Private Bill, because it is not only for the Middle Ward of Lanarkshire, but also for one or two neighbouring counties; and as the object of the Bill is to limit the rate which is now levied I cannot see any objection to it. I believe, now, something of the same sort might be done under the present law, and even if not, I do not think there can be any objection, as it gives a power which may be most valuable and which cannot do any harm. I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª." —(*The Lord Hamilton of Dalzell.*)

*THE EARL OF CAMPERDOWN: My Lords, I have to ask your Lordships not to read this Bill a second time for reasons which I will proceed to give. The noble Lord, in describing the Bill, has explained to us that it is a Bill which is brought in with special reference to the wants of Lanarkshire. He has spoken a great deal of the wants of those in his own immediate neighbourhood, and the difficulties they find themselves in. His proposal, however, goes beyond Lanarkshire, because it proposes to alter in a very important manner the whole law of rating with regard to water in Scotland. The first remark I have to make with regard to this Bill is that no notice has been given of it generally in Scotland. Nothing is known of it. I have, within the last two days, received letters from conveners of County Councils asking me to call attention to the measure in the House of Lords, and apparently they are in complete ignorance about it. I myself should not have noticed the

Bill if my attention had not been specially drawn to it. With regard to the history of the Bill, let me just tell your Lordships what it is. This Bill was introduced, and ordered by the House to be printed on the 16th of June last. It was introduced there by one of the Members for Lanarkshire, and it is introduced in this House by a noble Lord who, as he says, also specially represents the wants of Lanarkshire. The County Councils have had no opportunity whatever of seeing this measure, which proposes to interfere with the whole law of rating for this purpose. So much for that. That is one of my reasons, but by no means the strongest, for asking your Lordships not to give a second reading to this Bill. I think it is a matter on which surely all the County Councils ought to have an opportunity of expressing an opinion, for, remember it is not only Lanarkshire or one or two counties which are interested in minerals which are affected by this Act, but it is intended to apply to the whole of agricultural Scotland. So far with regard to that point. Now, the noble Lord made a remark with regard to the law affecting water supply, which I really cannot pass over altogether in silence. He told us very truly that at the present time in some cases it is usual to create special water districts, and to supply water by that means, and that, if a special water district is not created, then the obligation attaches to the whole county district; and when the word "district" occurs in this Bill your Lordships will be so good as to remember that it means "county district." The obligation attaches to the county district, as being the public health area, to find the water required and to find the necessary rate. As a matter of fact, this question of special water supply has, up to the present time, to my best belief, been wholly and entirely dealt with—not in towns, but in the country—by means of districts marked out by the sheriff, and, as far as my own personal knowledge goes, I do not know of any single district in which water is supplied by the district and a district rate. So much for that part of my noble Friend's argument. Now, let us turn to the Bill itself. The Bill is to come into effect after certain proceedings in the County Council and District Committee, with regard to which I shall have a word to say presently, but when the Act takes effect, if your Lordships will look at Clause 4 you will see that the district—and remember that is the County district—or the special water district, is to pay the expenses incurred out of the assessments authorised. Turning first to the assessments it provides for—

> "An assessment upon all lands and heritages within the district, or special water supply district, as the case may be, which shall have been supplied by water—"

that is the domestic water rate—

> "And that rate is to be levied at such an amount in the £1 as shall be sufficient, along with the public water rate hereinafter mentioned, to meet the expense."

Then we go on to Sub-section 2, and we come to the public rate which is to be the first rate imposed. What do you find there? You find that that is to be an assessment

> "Upon all lands and heritages within the district, as the case may be, but such rate shall not exceed 3d. in the £1."

The result is this: that you commence by levying a rate, not upon the persons by whom the water is required, but the first rate is levied upon the whole of the occupiers and owners in the County district, but the total rate is not to exceed 3d. in the £1; the remainder will then be levied upon those persons to whom the water is supplied by means of the domestic water rate. I leave it to your Lordships' notions of fairness to say whether that is not exactly the reverse of the process which ought to be followed, Surely the proper course is that the persons who are supplied should be first rated, and if the district is not prepared to rate itself in the manner in which the present law provides, you might then levy a public water rate upon these owners and occupiers who have no concern whatever in the water supply. Your Lordships will also please to bear this in mind, that the county district being now the public health area under Sub-section 2, it may happen, and will happen undoubtedly in no inconsiderable number of cases, that persons will be rated for the supply of water to a special water district from which water supply they themselves will receive no benefit whatsoever, and from which they

will be perhaps 30 or 40 miles away. How can such a proposal as that be regarded as just? My noble Friend says it will do injustice to nobody, and he says under the present law it is impossible for them to provide this water for themselves; he further said it is impossible for this reason: that it is impossible for a limited water supply district, such as is allowed by the Act, to do so. Now, I should like to call your Lordships' attention to the words of the Act. There is no limit whatsoever upon the discretion of the Sheriff. The words are—

"Upon a requisition by any 10 inhabitants of the district an application is to be made to the Sheriff, and the Sheriff may either find that no special water supply district should be formed, or he may enlarge or limit the special supply district as furnished by the resolution of the Local Authority, or he may find that the special water supply district should be formed and he may identify the limits."

There is not in the law at this moment any limitation at all upon the discretion of the Sheriff, and if he chooses he may say that that special water supply district shall be coincident with the whole district. So far as that goes, then my noble Friend is not correct in point of fact. Well, let us pass on from that point. The next clause to which I would like to draw your Lordships' attention is Clause 6. I am not going into it at great length, and I will only read sufficient for your Lordships to follow it. That clause says—

"Where there shall exist within the district of any Local Authority a special water supply district, wherein a sufficient supply of water has not been obtained, or is not maintained, and where water has been provided as arranged for under the provisions of Section 89 (one) of the Public Health (Scotland) Act, 1867, for the district of such Local Authority which is, or can be, supplied to such special water supply district;"

and so on. In other words, this clause enables any existing water supply district, of which there are a very large number, and they are very largely increasing in Scotland, if it can obtain a resolution in its favour at a meeting of the District Committee to abrogate and destroy the water supply district, and to come in under this Bill and fix themselves upon the county. Whatever may be the merits of this Bill as a general measure, it seems to me it is impossible to defend this particular clause; and I am certain that the person who inserted this clause in the Bill is not, in my judgment, a proper person to entrust with the rating in Scotland of a water supply district for that reason. Now, let me go to another point. I think it was the last mentioned by my noble Friend. He says—

"After all, this Bill is not compulsory, and can only be adopted by the county if the county chooses."

But look at Clause 2, which says—

"This Act shall not take effect within any district or special water supply district in any county until after the County Council shall, on the application of the District Committee, have passed a resolution approving of its taking effect within such district or special water supply district."

Now that is a clause which will explain itself, I am sure, to every one of your Lordships who are familiar with Scotch Local Government. I sit constantly on a County Council and District Council, and I will tell your Lordships exactly how this will work. Some districts will want water. They have it in their power, as you have already been told, either to have themselves marked out into a special district, or to apply to the District Council and endeavour to obtain a supply that will be paid for by the whole district. But they will take neither of those courses. They will collect all their friends and go to the District Committee. I know this perfectly well, because I have been on many of these meetings myself where they have not had above 9 or 10 present—and if they have a majority they will carry the thing and then go to the County Council. Well, then, this is very likely to happen. I have seen this sort of thing attempted many times, and, therefore, I am not speaking of what I do not know myself. Everyone is naturally anxious to put his own taxes on the shoulders of somebody else. That is only human nature. But what would happen in the County Council would be this: The County Council would say—"This district is certainly a public health area; it alone will be taxed; the other parts of the country will not; it is no affair of ours, and as they have adopted this Resolution among themselves they may come in under this Act"; and under those circumstances those persons will get their own water, and, to the extent of 3d. in

the £1, others will pay for it. Then there is another matter, and this, I think, is a much more important one. This Bill applies to water, but if you are going to deal with water in this way, why are you not to extend it to drainage too? What possible argument can you urge for supplying water in this way which will not equally apply to managing the drainage of a district? If you do that a very considerable portion of the cost of draining a district would be expended in the same manner. It is perfectly true, as my noble Friend said at first, this is a Bill which has been brought forward by Lanarkshire, and the other County Councils have not considered it, and have had no opportunity of considering it. My noble Friend mentioned the case of his own district as a case of very great hardship. Well, I will tell you how to deal with it. He says they cannot deal with it under the existing law; but he can deal with it quite easily if he chooses so to do. The case is this: it is a case of certain mineral lands under which the coal has been excavated, which has cut all the streams of water supply, and which, no doubt, has made it very difficult to get a water supply for that district, but on the other hand they have had very material advantages. Why cannot they take the rough with the smooth, and supply their water for themselves, even if it does cost a little more? It is surely very mean that they should ask their neighbours who are living in another part of the county to subscribe to a rate to the extent of 3d. for a supply from which they would never be able to derive any benefits; because your Lordships must bear this in mind, that upon this question of district rate we have now the district as the authority. As long as it was the parish it was possible, if the rate were imposed on the whole parish, that it might be made upon some persons in the parish who did not benefit, but after all they were not a great distance off. Now the case is very different. Some of these districts contain as many as 20 parishes, and a man who will be taxed under this Bill, as I told your Lordships before, may very frequently be a great many miles away. Then there is this further consideration which many of your Lordships who know Scotland will well understand. There may be three or four such places which would come forward and apply to the District Council in the same way, and if they were to succeed the county district would find itself for no purpose of its own saddled with three or four rates of 3d. a piece. Whatever may be the merits of this Bill I feel confident there is nothing to be said for Clause 6. The Bill certainly requires consideration by the County Councils of Scotland and because it suits Lanarkshire to bring it forward I do not think your Lordships will accept it as a good reason why you should change the law of rating all over Scotland at the instance of Lanarkshire without giving the rest of Scotland the opportunity of being heard in the matter. For that reason I move the postponement of the Bill.

Amendment moved to leave out ("now") and insert ("this day three months.")—(*The Earl of Camperdown.*)

*LORD WATSON: My Lords, I trust the House will not be influenced by the eloquence of the noble Earl to reject the Bill, the Second Reading of which has been moved by the noble Lord opposite (Lord Hamilton of Dalzell.) I do not think the noble Earl has sufficiently appreciated the scope of this Bill. It is by no means such a dangerous and far reaching measure as the noble Lord who has just spoken would desire to represent. It may be right to revert for a moment to the position which the County Councils now have, as the Local Authorities, charged with supplying with water those particular parts of the County which stand in need of a supply. Before the Local Government Act of 1879 the Parochial Board in each parish was the Local Authority, the parish was the area of assessment. Now that is changed; the county, where it is not divided into districts, is the area. The district is the unit instead of the parish, and the noble Lord has rightly said that in some counties, such as Lanarkshire, a district includes from 14 to 20 parishes. The duty now is laid upon the County Council, through its District Committee, in all cases where water destitution exists. They must, because the Legislature have laid the duty upon them, find means of discharging it. That has been done in many cases by availing

themselves of a power created by the Public Health Act of 1867, to apply to the Sheriff to have a small area defined as constituting an assessment area for the purpose of its water supply. But I desire to make this observation because the fact appears rather to have escaped the notice of the noble Lord, that within these areas, the county, the district, the parish, or the supply district, fixed by the Sheriff, the mode of rating is precisely the same. The County Councils and their predecessors, as the Local Authorities, have had no power to levy any, except one uniform rate, upon all land and heritages within the district, parish, or county, whether those lands or heritages took the benefit of the water supply or did not. I should have gathered from the argument of the noble Lord that that was a state of things which did not exist, and that this Bill brought into existence for the first time the unequal rule of making the agricultural land, or a tenement not supplied with the Local Authorities' water, pay part of the consumers rate. As a matter of fact, such tenements and such land were invariably paid upon where there was a water supply given at the same time as was paid by the consumer himself.

*THE EARL OF CAMPERDOWN: I wish to correct the noble and learned Lord, because I think he has rather misunderstood me. I never intended to say—it was certainly a mistake if I did—that within the area of supply, whatever it might be, the rate was not uniform on the landlord and tenant, and was not uniform all over the area. What I did say was that water was always supplied by means of the special water supply district, and not by the district.

*LORD WATSON: Well, I regret that I should have attributed to the noble Lord the observation in the terms I did, but I shall repeat the remark I have made that the rules of rating which the Local Authority could adopt was one and the same; they could charge no other rate to persons who did not benefit by the supply than they charged to those who did. I do not doubt that the noble Lord correctly stated that in many cases the want was met by having a district, and that district did not include many—I believe it did generally include some — lands and tenements which derived no benefit from the water supply; and those lands and tenements, I must say, in my own apprehension, somewhat unfairly to the non-consumer, paid precisely the same sum. There are parts of Scotland which are very deeply interested in this Bill, and to which probably the Bill is most of all applicable, in which they have hamlets without a supply of water, the rating value of which — because there is a rating limit imposed by the Statutes— is absolutely insufficient to provide a proper supply of water, if you confine the rating area to the area upon which those dwellings stand; and therefore such a mode of fulfilling their duty is one which no County Council, desirous of discharging its duty, would think of resorting to. The only alternative they have is this: Take the case of the Middle Ward of Lanarkshire, with some 14 parishes; the only alternative they have is to give a water supply to some one or two small villages in one or two of those parishes, and then they can only meet the cost by rating every proprietor and every farmer in the other 13 parishes. That is the only provision which the law, as it stands, has made. Now, in these circumstances, I do not think it ought to be a matter of surprise that not only the hamlets which are to be benefitted by the supply are willing to pay a larger share of taxation than that which is thrown upon the rest of the district, but that those who are ratepayers in the rest of the district should think that the arrangement an exceedingly fair and proper one. Now that is the arrangement and the sole arrangement which the present Bill, in its leading clause, professes to enact. There is no new rate imposed; there is no alteration of the rating area; there is only a provision that the rate raised within that area shall not be a uniform rate, but that the heavier part of it shall be borne by the consumer, and the lighter part of it by those who derive no benefit from the water supplied. That is a principle not unknown. It is common in all Local Burgh Acts, where it is usual to give a burgh limits providing for its future growth; and it appears to me to be a perfectly reasonable principle. All that your Lordships are asked by these clauses in the

Bill, which have been severely commented upon, is to do that by this Bill. As to Clause 6, I can only say, and to some extent I share in the observations which have been made by the noble Lord, that it is in some respects a little beyond the lines of the Bill. It would certainly require some consideration and some change, and I dare say the measure might be an effective one, although Clause 6 were omitted altogether. Now, it is said that County Councils have not had any notice of this Bill. I think the very statement made by the noble Lord is sufficient on this point; he says there are a great many County Councils in Scotland which are not interested, and I have not the least doubt, though this measure may not affect nine-tenths of them, yet I think it will not greatly concern them until they come to work their minerals, or when great industries are established throughout the rural districts of Scotland. The Bill may be more important then; but I think the observation is met by the answer that the Bill is not compulsory upon any County Council which does not think the principle embodied in it a just one. If they think it a right thing that the consumer and the non-consumer should pay the same, let them have the power of doing it, and it is only right, the circumstances being such that the non-consumer is to pay less and the consumer more, that they should have their choice whether they will take the benefit of the provisions of the Act. In these circumstances, I trust your Lordships will give this Bill a Second Reading, in order that it may be considered in Committee.

LORD ELPHINSTONE: My Lords, in spite of what has fallen from the noble and learned Lord, I trust your Lordships will hesitate before allowing this Bill to be read a second time. I ask your Lordships to hesitate because I am quite at a loss to understand the manner in which this Bill has been rushed through Parliament. It was introduced into the other House of Parliament on the 16th of last month, and was laid on your Lordships' Table last Tuesday with a notice on the Paper that we were to read it a second time that very same day. Not one of your Lordships had seen the Bill, by the merest accident the noble Lord opposite became aware that the Bill was going to be read, and I believe that accident only happened from the promoters of this Bill having gone to him to ask for his support. In that way he became aware of the Bill, and other members, in consequence, became aware of it too. Now, my Lords, I am not going to recapitulate the arguments which have been used by the noble Lord opposite; it would occupy too long a time to do so; but I would ask the noble Lord who introduced this measure in this House whether the Bill has been submitted to any County Council or any Local Authority in Scotland at all. I will answer that question myself, by saying not one of them, not a single authority in Scotland, has seen the Bill or ever heard of it. Yet your Lordships are asked to rush it through Parliament under these circumstances. When I saw the Bill on Saturday I sent it down to the Convener of my own county, namely, Mid Lothian, and I immediately got a telegram to get it stopped. A letter followed; it is very short and concise. I will ask your Lordships' permission to refer to it. It is from the Convener of Mid Lothian, than whom there is no one better able to give an opinion in Scotland. Let me read what he says—

"I know nothing of the Bill of which you sent me a copy, nor has it ever come before the County Council or the District Committee for their opinion; in short, outside the small circle of its promoters, who I suppose are pressing it for their local purposes, no one here knows anything about it. A Public Bill, so wide in its action as this Bill is, ought not to be allowed to pass in such a manner, and the House of Lords will be doing Scotland a good turn by stopping the progress of the Bill for this Session, which will give time for its examination. Great defects will probably be discovered in the working of a measure which has not received adequate consideration. I do trust you, and other Peers whose attention has been called to the Bill, will do all in your power to stop this Bill. It can be brought in again next Session early enough to enable its provisions to be examined."

Before I read the letter I was going to make some suggestion, and to urge upon the noble Lord who moved it that he should consent to withdraw it for this year, and arrange that it shall be brought in early next Session in time to allow of its provisions being sent down to Scotland, and there considered and discussed by the Local Authorities.

If my noble Friend will assent to this I shall be very much pleased. If he will not do so, and the noble Earl opposite divides the House, I shall certainly go into the same Lobby with him.

THE DUKE OF RICHMOND AND GORDON: I wish to add my suggestion. I hope that the proposition of the noble Lord near me will be accepted by the noble Lord who has introduced this Bill. I think it would be a very dangerous thing that a measure brought in evidently to meet a difficulty in a certain part of Scotland should alter the entire water rating legislation for the whole of Scotland. I quite agree with my noble Friend that it is obvious that a measure which was not introduced into the House of Commons until the 18th of June, and is now brought on for Second Reading here on the 17th of July, cannot have received that attention which a measure of this importance demands at your Lordships' hands. I do not think that the object which the noble Lord opposite has in view would be frustrated if he withdrew the Bill now and brought it up again in the early part of next Session when it can be considered. By this time next year the authorities will have had ample opportunity of discussing, and of seeing the merits or dismerits of the Bill. I think it a very strong measure to introduce and to try to carry through Parliament a Bill of this character, a measure which has never been—and I believe my noble Friend is perfectly right upon that—before one single County Council in Scotland for approbation or the reverse. I join with my noble Friend in begging that this measure may be postponed, and not brought in for another year. I shall, therefore, with the greatest peasure, support the noble Earl opposite in the Motion he has made.

LORD HERSCHELL: My Lords, there is one point which the noble Lord has not adverted to, and which my noble Friend behind me has not taken notice of. It is, perhaps, a matter which will be considered of some slight importance, that this measure has passed the other House where there are, I believe, 60 representatives of Scotland, who come from every part of Scotland, who have seen the Bill and have had no objection to it. That, I think, is a circumstance which ought, to some extent, influence your Lordships in the view you may take of this Bill, and to satisfy you that the Bill is not of so dangerous a character as has been represented, and which, I venture to submit to your Lordships, it would be absurd for this House to set aside without strong and urgent reason for doing so. The Bill must have met with the assent of the Scotch representatives, or it would not have been permitted to pass the other House. Therefore, your Lordships have it coming up from the other House of Parliament unopposed by those who represent the Government in the other House, and with the unanimous assent of all the representatives of Scotland in the House. Surely under those circumstances it would not be advantageous to this House or to its position, unless some strong ground were shown, that your Lordships should throw out the Bill, and it is not a matter to be left undealt with for another year. I think this is the more important consideration, seeing that the Bill as it stands will not impose an absolute obligation on any locality in Scotland, but will leave it to each locality to detormine whether it will adopt the Bill or not. If you were going by this measure to impose a rigid system upon every part of Scotland, no doubt there would be a good deal of force in the argument that it has not been sufficiently considered by the local authorities. But it is brought before Parliament by one most important county—the county of Lanark. It is, therefore, a matter of very pressing necessity; you have very considerable districts there which are really troubled with a want of water, because under the existing system there is not the means of obtaining it. A Bill has passed the other House which will enable that county to deal with this pressing want with approval; and your Lordships are asked to deprive the county of Lanark of an opportunity of supplying the water wants of an important portion of their constituency for another year. Supposing the Bill is passed, what harm will it do to any other locality? No County Council need adopt it unless they please. Possibly, it may be unsuited to the wants of other localities. That is why it is made permissive. If it is so they will nct adopt it. Then, if that be so, what is the harm in giving them a discretionary power which, if it be unsuitable, they

will not exercise? Would it be reasonable of them to ask that because it may not suit them, and therefore they may not want it, that the people in Lanarkshire should be deprived of the opportunity of doing that which they feel they urgently need?

*THE EARL OF LAUDERDALE: My Lords, with regard to what my noble Friend below me has stated as to the County Councils not being acquainted with the purport of this Bill, I may say that on Tuesday I forwarded a copy of it to the Convener of my county, and he has replied by telegram that he has not had time to consider the Bill, and therefore he is not able to offer an opinion upon it. I do hope, therefore, that the House will not pass the Bill this Session. In any case, if the noble Lord opposite (the Earl of Camperdown) divides the House, I propose going into the Lobby with him.

*LORD SALTOUN: My Lords, I rise also to support the noble Lord on this side of the House who has proposed the rejection of the Bill for this Session. I have sent a copy of this Bill up to the Convener of my county, but he has not had time to reply. I do, however, feel that it is most important the Councils should have the opportunity of considering this Bill before it becomes law. If the noble Earl opposite divides, I shall also go with him.

*THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, although this Bill is not a Government measure, as it affects the whole of Scotland, you will probably think it right that I should say a few words upon it; at the same time, I wish it to be understood that any action I may take is simply in my private capacity as a member of your Lordships' House, and not necessarily as representing the Government. It is unnecessary for me to go into details upon the existing system in Scotland, which this Bill is proposing to alter. That has been so fully laid before your Lordships, not only by my noble Friend who introduced the Bill, and the noble Earl who has moved that the Bill be read this day three months, but by the noble Lords who have spoken in favour of the Bill, that it is quite unnecessary for me to say anything further upon it; but I would venture to say a word or two upon the objections which have been taken by the noble Earl and other noble Lords with the view of postponing the measure. The chief objection, as far as I can gather from the later observations which have been made, is on the ground that the County Councils have not had time to consider this Bill. The Bill was introduced into the House of Commons on the 16th of June, and laid on the Table. That is giving the Councils a month up till now, and I do not know what the clerks of the County Councils can have been doing if this matter has not been laid before their County Councils or the Conveners, so that opinions might have been sent as to whether this Bill should or should not pass your Lordships' House. But I do not think it is a matter simply of not submitting the Bill to the County Council. I do not think that is a matter in itself of importance, because, although the noble Earl says it makes no difference whether this Bill is permissive or not, yet I think the fact that the Bill is purely a permissive Bill must remove a great deal of the objection on the ground that the County Council had not had time to consider it. No convener, I am bound to say, does his duty more assiduously than the noble Earl; but I feel, at the same time, rather nervous about the reception which he will receive when he goes back to Scotland, because, as I understand, he says that, according to his own experience, the County Council of Forfarshire whenever they want to adopt a measure call a meeting, that the meeting is packed, and resolutions passed without reference to the general opinions of the majority. If that be so, I am bound to say I do not think it is the case elsewhere; but, at the same time, if there is any risk of that sort of thing taking place, I should suggest to the noble Lord that he should consent to some Amendment by which such proceedings may be made absolutely impossible. I would suggest that words providing that the vote should be passed by an absolute majority, or a two-thirds majority, or in some other way to prevent a snatch vote being taken, should be introduced. I hope the noble Lord will assent to some such Amendment.

*LORD HAMILTON OF DALZELL: Certainly.

*THE MARQUESS OF LOTHIAN: Then objection was taken to the second clause, and the chief objection to that was that it was absolutely essential under the Bill that the district rate should be levied before any domestic rate is levied at all. Upon that point I have some sympathy with the noble Earl. I think it might be possible to reverse, by some machinery, that pro posal, so as to make it possible that where a domestic rate is imposed it should not be necessary for the County Council first to impose a rate on those who do not benefit. I would leave it to the County Council to decide whether such a rate should be levied, and its amount. As the Bill stands, it is compulsory upon the County Council to levy a rate upon the whole district, and then, having levied that general rate, they are to levy a domestic rate. I should like to reverse that process, and put it that the domestic rate should be levied first.

*LORD HAMILTON OF DALZELL: I rather think they go together *pari passu*.

*THE EARL OF CAMPERDOWN: I think the noble Lord is mistaken. If he will look at the end of Clause 4 he will find that is so.

*THE MARQUESS OF LOTHIAN: If the noble Earl will withdraw his objection I would ask the noble Lord who has introduced the measure to make an Amendment of that kind in order to meet the difficulty. Then the next objection was with regard to Clause 6. I do not share the anxiety of the noble Earl in reference to the difficulty which he anticipates under that clause. As I understand, it will not affect the rate very much as matters now stand in those small districts. All those districts are liable up to the full rate of 2s. 6d., but the object of this clause is to enable the Local Authority of the district, by resolution, to do away with special water districts.

*THE EARL OF CAMPERDOWN: Altogether.

*THE MARQUESS OF LOTHIAN: The effect of that would be, as I understand, that those within the district who make use of the water would have to pay the domestic rate, and those who do not make use of the water would only have to pay the rate of 3d. Therefore, so far it would be a gain to those who derive no benefit from the water supplied. Those, I think, are the main points which have been touched upon by the noble Lords who have spoken, but I think they are really beside the great point, which is that it is a matter of urgency. The noble Lord who introduced the Bill pointed out that there is literally a water famine in some of these districts in Lanarkshire, and he stated that they had to get water from all sorts of places. In some places, I believe, they have been driven to get it from the privies in the railway stations. In such a state of things it is absolutely necessary to these people that water should be supplied. Those who object to this Bill object to it on the ground that 3d. in the £1 may possibly be imposed on those who do not get the benefit of the water; but I would ask them, can it be said that those around the villages where the people cannot get water are not interested in the condition of these places? Disease appears. It had already appeared. Are those outside not interested in this? These places may become positive plague spots, and those plague spots might affect the whole neighbouring country. If so, the whole country is interested in the introduction of water, which might prevent those possible consequences. It may be in the interest particularly of Lanarkshire that this Bill has been introduced; but there are also other places in Scotland which may at any time be in the same difficulty. If, on the other hand, there is no necessity for this Bill, and no need for it elsewhere, other places may, I think, be trusted not to adopt it. But in the interest of those places where public health is suffering from a scarcity of water, and no means exist for raising the necessary funds for supplying it, I trust your Lordships will give a Second Reading to this Bill.

LORD DENMAN: My Lords, I have been 36 years in this House, and I do not think I have said within that period anything which you can object to. I should be glad if you would allow me to say a few words. It is extremely probable that Parliament may be prorogued for seven months, and then the Bill may come on again, if your Lordships refuse a second reading now. Whichever way

it happens I do not regret having trespassed upon the time of the House.

*LORD HAMILTON OF DALZELL: I am sorry to put your Lordships to the trouble of a Division, but after what has been said by the Secretary of State for Scotland and myself about the dreadful condition of affairs in Lanarkshire, and the danger to health which may possibly arise, I have no alternative, as the case is so serious. I am perfectly ready to accept all the Amendments which have been suggested, that is that the domestic rate should be exhausted before calling on the public rate, and that it should require an absolute majority in the County Councils before adopting the Bill. I hope that may meet the views of the noble Lords, and will save your Lordships the trouble of dividing.

On Question whether ("now") shall stand part of the Motion? Their Lordships divided: — Contents 71; Not-Contents 23.

Resolved in the affirmative.

Bill read 2ª accordingly, and committed to a Committee of the whole House on Tuesday next.

COUNTY COUNCILS (ELECTIONS) BILL.

(No. 222.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved that the House do now resolve itself into Committee.

*LORD LINGEN: My Lords, in rising to move that this Bill be referred to a Select Committee, my object is to call the attention of this House to the extreme importance of the Bill, and its bearing upon the London County Council, and to signify on the part of the Council their wish that the particulars of the case should be thoroughly and completely inquired into, as they would be if the permanent officers of the council could be called before a Select Committee and give their evidence. I feel the very great disadvantage at which the County Council is placed by the fact that we have no longer, as a representative in this House, our former chairman. Were he here, I am quite sure that the case would be presented to your Lordships in a manner and with a force which I can have no hope of reaching. I feel also that, to a certain extent, I represent a body which is the object of some unpopularity. I am sure, however, that I may rely upon the impartiality of this House, and that your Lordships will not forget that the County Councils are the children of Parliament, that they are among the youngest of those children, and that they hope to obtain some share of that parental fondness which generally goes to the youngest members of a family. The precise point which I have to put before your Lordships really lies in a very small compass. At present the elections being fixed for November, and the commencement of the financial year of the County Councils being fixed in April, ample time is given for the preparation of the financial and other business of the year. That business is upon such a scale as to require mature preparation and mature deliberation. I will not weary your Lordships with figures, but this will show that the body on behalf of which I am appearing is one that is of great public importance. The county has the power of rating on a value of upwards of £30,000,000, and it has an annual expenditure approaching £2,000,000; it has a debt in gross of £28,000,000, which it has to manage, together with its sinking fund, and a net debt which represents £17,000,000 or £18,000,000. Besides that, the Council is authorised to borrow, from time to time, for the purpose of re-lending to other metropolitan authorities, by which most beneficial scheme the metropolitan credit is put at the service and disposal of each of those authorities. A body which has to operate upon this scale I think is entitled to ask your Lordships to consider the reasons which seem to them to make the inclusion of London in this Bill inexpedient. If this Bill were confined to County Councils, properly so-called, I should not have one single word to say against it; but what I contend for is this: the County of London is not properly a County Council. It is not, except in a metaphorical sense, a County Council at all. London is urban, and it is under circumstances which are altogether, as I hold, external to the merits of the case, that London has been placed among the counties instead of with the other municipalities. The preparation of the estimates, a part of the busi-

ness which falls to my lot, follows very much the course of the preparation of the Estimates in the Public Departments. By the Local Government Act, a committee is constituted, called the Finance Committee, of which I am chairman; and the functions of this committee are defined to be to regulate and control the finance of the Council. That committee may be said to be a sort of Treasury, and its duties are very much like those which belong to its prototype. The various committees of the London County Council are requested in November, just as the various Spending Departments of Government are requested, to prepare their estimates. Their chairmen, with the assistance of the principal officers of the Council, are instructed during the month of November to prepare, and, in fact, for a very considerable time afterwards, are occupied in preparing and settling those estimates. The time from November to April, which the statute makes the commencement of the financial year, when it has been subjected to the deduction of the Christmas Vacation, and in some years the Easter Vacation also, is not too long for the process. When the estimates have been roughly cast in this form, they go before the Finance Committee, and the Finance Committee, being established for this very purpose, thoroughly discusses, and either adopts or modifies them; and if it does not like any particular estimates—though, I ought to say, this power is exercised with anything like the stringency which the Treasury exercises over the public Departments—rejects them. Many of your Lordships have been members of Departments of the Government, and you know that the process of getting the Estimates into form by the joint action of the Spending Departments and the Treasury is neither a brief nor a speedy one; and if I may without impropriety compare small things with great, that argument applies in its degree to the estimates of the County Council. We do feel, and we desire most earnestly to press upon your Lordships, that if the election is put off until March, the year having to begin in April, sufficient time will not be granted; and I appeal to your Lordships, as many of you are chairmen of County Councils and men of business on a great scale, to consider what may be the effect of an outgoing council preparing the estimates which must be laid before a new council for confirmation. The result, I venture to say, will be this: that, from November until the time of election, the estimates will be bandied forwards and backwards between the different parties in the Council, in an electioneering sense, and will not be determined, as they ought to be, on their merits and on municipal grounds only. I represent in the County Council no political party at all; indeed, I stated, as my condition of taking office, that I would belong to no political party, and give no assistance as far as manœuvres go. In that respect I may call myself *sanctas simplicitas;* I know nothing of them, and have had nothing to do with them. I maintain that, although the business of the County Council of London will be injuriously affected by taking the elections in March instead of November, it will not make the slightest difference to those who are thought to be politically interested. Then, besides our financial business, there is another part of the business, which is most important. Your Lordships must know that representatives of the County Councils constantly have to go before Committees of this House in connection with Bills of various kinds. Those Bills have to be prepared before the Session; and under this Election Bill, every third Session will be cut in two by the election at Easter. One Council will have been preparing Bills, and another Council after Easter, who may have a totally different policy, will come into office. It seems to me a most extraordinary state of things to contemplate. I have put the matter before your Lordships at no greater length than I could help, but I would press upon you, if I could do so effectually, the extreme importance of this Bill to the government of London. What we ask for is that being really a new municipality and being in no proper sense of the word a county, we may be excepted from this Bill; and I ask for a Select Committee only as an opportunity of proving in greater detail than I have been able to state to your Lordships why we ought to be excepted.

Lord Lingen

Amendment moved to leave out all the words after ("that") and to insert ("the Bill be referred to a Select Committee").—(*The Lord Lingen.*)

*LORD HOBHOUSE: My Lords, as a humble colleague of my noble Friend, I beg to add my voice to his in asking your Lordships for a favourable consideration to this Motion. It is true the object of the Motion is only to lay a ground for treating the County of London in a different manner from the other counties which are the subject of the Bill, and I ask, Why not? But rather I ought to ask, What is the advantage gained by grouping London with a number of other communities whose circumstances are totally different, under the supposition, the fiction, that it is a county such as the county of Somerset, instead of being a town such as the town of Manchester or Birmingham? There were good temporary reasons of expediency for including the London County Council in the Local Government Act, but except for the fact that it is within the Act, and except for the fact that it is called a county instead of being called a city or a town, I know of no reason why Parliament should persist in applying to London provisions which may be very suitable for municipalities which are called counties, but which are not suitable to London. Now the present provisions of the Bill before your Lordships are provisions for changing the autumn election from November to March. I assume that for, say Somersetshire again, they are very convenient; but for London they are not convenient. It is true that the inconvenience was not perceived at first. At first the County Council accepted the change; but then came the most experienced and the weightiest members of the Council, the men by whose advice they are most wont to be guided, and they told us that it would be a matter of great inconvenience. Our Chancellor of Exchequer, Lord Lingen, says it will disarrange his Budget; the chairmen of our committees, who are conversant with all the details of the various legislative measures with which the County Council is obliged to concern itself every year, tell us that they will be hampered and impeded by the change; the men through whose hands pass most of the general affairs of the County, who hold most of the threads of the general business in their hands, our Chairman, our Deputy-Chairman, our Vice-Chairman, the Chairman of the General Purposes Committee, all came forward, and each from his own point of view showed how inconvenient the change would be. It was upon those weighty counsels that the County Council has changed its course, and it now asks that the present arrangement may be kept in force. Surely, my Lords, you will not force a change upon the Council if it is inconvenient. Surely you will not turn a wholly deaf ear to those persons who, being the most competent of all to speak upon the matter, tell you it is inconvenient. The object of this Motion is to make a case; to lay before this House in greater detail, by the mouths of the persons who know the details, and in a quieter manner than can be done by assertions across this Table, the facts and circumstances that create the inconvenience which is alleged. It may be proved before the Committee that we have exaggerated the amount of inconvenience, though I do not think it is the case; it may be shown that there are other considerations, which we have never yet heard, on which you would decide, that although there might be inconvenience to the County Council, yet the convenience of grouping it with the other countries is so great that you will still insist upon it. If that should turn out to be the case, your Lordships will pass this Bill with a clear conscience. But as matters now stand, you can only pass it subject to the protest and warning of those who know the matter best, that by so doing you will worry and harass a municipal body, which, of all municipal bodies in England, is already the most heavily weighted with public business. For these reasons, unless your Lordships would be prepared to accept another Amendment, which is on the Paper in the name of my noble Friend, and exclude the London County Council from this Bill, I trust you will accept this Motion, and give time for further inquiries into the matter.

*LORD MONKSWELL: My Lords, I wish to be allowed to say one word in support of the remarks which have fallen

from my noble Friends Lord Lingen and Lord Hobhouse. I speak not as an Alderman, but as an elected member of the Council, and I do most earnestly hope your Lordships will not turn a deaf ear to the wishes of the Council in this matter. As an elected member who will have to go to election either in November or March, I wish to say that the members naturally supposed in the first instance, before they knew the important bearing of this matter, that they might decide for themselves whether the month of November or March was or was not a more convenient time for electioneering purposes. Naturally the members of the London County Council did not wish at the first blush, unless they found it necessary to do so, to go to election during the dark and foggy days of November; they felt that the month of March was a preferable time in which, for their own convenience, to make the electioneering campaign. But when it was shown that all the great authorities on the Council and the chairmen of the two committees principally interested were of opinion that terrible inconvenience would result from the proposed change, they turned their back upon themselves, and decided that they must, at whatever discomfort, electioneer rather in November than March. Then there is one other reason which I should like to lay before your Lordships as well, which is very important. Surely it is exceedingly desirable to get the best men possible to volunteer their services for the local County Council. If the Legislature shows that on every occasion it is thoroughly determined not to listen to anything the London County Council may say, either in this House, or in the House of Commons, what sort of men can you expect to volounteer for service on the London County Council? I do look upon it as being a matter of the utmost importance that the good work which your Lordships do not hear of, and which the public do not hear of, which is not advertised in the newspapers, but which, as my noble Friends know, is done in Committees of the London County Council efficiently and unobtrusively, should be recognised, and that the inhabitants of London should feel that a seat on the Council is an honour to them, and that if they discharge their duties properly upon it, their merits will be properly recognised, and that it ought to be an object of great ambition to obtain a seat on the Council. I do hope, therefore, your Lordships will not turn a deaf ear to our wishes.

*Lord HENNIKER: My Lords, in giving a reply to the noble Lords opposite, I must remind your Lordships that this question of altering the elections of the London County Council was discussed most fully in the House of Commons, particularly by an Amendment brought forward in Committee. It was decided there by a very large majority—68 in a House of 276 Members. I think my right hon. Friend, Mr. Ritchie, very properly defended his proposal that the County Council of London should not be excepted from the provisions of the Bill, on the ground, first, that the County Council itself had varied very much in their opinion. At one time they passed a resolution in favour of holding the elections in January; on a second occasion, by a large majority, they passed a resolution to hold the elections in March, and then on a third occasion they passed a resolution to hold the elections in November, and not to hold the elections in November on the day that is usual for Municipal Councils to be elected, but on some day later in November. It is all very well for the noble Lords opposite to say that certain prominent members of the Council afterwards came down and persuaded the Council to change their opinions; but the whole question—and I think the noble Lords will not contradict me—was most thoroughly put before them just as it has been put before your Lordships to-night, as it was put in the House of Commons on the occasion when they voted for March, and on that occasion there was a large majority in favour of March. So I think that argument falls to the ground. Then besides this, the Government had to consider the opinions of the Members of the Metropolitan constituencies; and they are, I think, as much representatives of the ratepayers as the the members of the County Council. The noble Lords opposite have said something about the estimates, and as to the making of a rate. The Government are unable to satisfy themselves that there will be any practical difficulty in this respect by holding the election in March. The new Council can make

any revision they think necessary in the estimates of their predecessors. Those estimates, as noble Lords are aware—I think the noble Lord opposite said so the other night—take several months to prepare usually, before the County Council can determine what rate should be made. I must remind your Lordships of this, that any rate that is made is only made for half a year, and last year the rate was only made on the 21st of April. The Local Government Act expressly provides that if an estimate is considered by any Council to be excessive or insufficient, at the end of the half-year the County Council may revise the estimate and make the rate accordingly. Then another contention has been raised as to the inconvenience with regard to the County Council Money Bill. With respect to the question whether the new County Council have time to consider the proposals of their predecessors I must remind your Lordships that the Money Bill that is brought in only gives the County Council certain powers of borrowing, and if the Bill passes through the Houses of Parliament with, as sometimes happens, a good many alterations, it does not oblige the County Council to spend the money up to their borrowing powers, they may spend what they think proper. Then with regard to what the noble Lord mentioned just now, the Private Bills promoted by the County Council. The County Council if they think proper, the new Council or the old one, would have no difficulty whatever in withdrawing a Private Bill if they wished not to proceed with it. Then, again, as to the opposition to such Bills, and other incidental arrangements connected with the opposition to any Bill. The Local Government Board have considered the matter, and they do not think that any practical inconvenience could arise to make it necessary to vary the election for the County Council of London. It must not be forgotten that those difficulties which have been spoken of to-night can only possibly arise once in three years, at the time of the election; and then I must mention to your Lordships again as to the alteration in time. November in London has some great disadvantages for the County Council elections for this reason, that the School Board elections take place in that month, and the School Board election is entirely carried on upon a different basis, so that that might cause confusion, and it might cause inconvenience to voters. I do not think I need trouble your Lordships any further, but in regard to the Motion of my noble Friend, Lord Lingen, of course, if evidence is taken, and that can be the only object of asking for a Select Committee, the progress of the Bill might be delayed very much. I told your Lordships the other night that it is extremely necessary the Bill should be passed, and if we sent it to a Select Committee we might jeopardise the passing of the measure. On the other hand, I think, and the President of the Local Government Board thinks, that no sufficient grounds have been shown, after the way the question has been discussed in the other House, and put before your Lordships' House, for referring the question to a Select Committee. Under those circumstances I must ask your Lordships to reject the Motion.

*THE EARL OF KIMBERLEY: My Lords, I must confirm my noble Friend in saying that I think the Motion for a Select Committee would not be the most convenient mode of dealing with this Bill so late in the Session. An inquiry on this subject would certainly cause considerable delay in passing the Bill, and after all it is a matter in which we can form our own judgment. At the same time, I am entirely with the noble Lord upon the principle of his Amendment, and I would certainly vote in favour of it in Committee. In the first place, I do not understand why we are to put the London County Council in a different position from other Urban Councils.

THE MARQUESS OF SALISBURY: After what the noble Earl has said, would it not be more convenient that we should at once go into Committee?

*THE EARL OF KIMBERLEY: The discussion having taken place, I think it would be better to state the reasons rather than start a new discussion, and if the House will allow me I will proceed to do so. I cannot see why the urban constituency should not be in this one instance placed in the same position. London is an urban constituency, and what reason has the noble Lord given why the wishes of the London County Council should not be attended to? We

have it from them, and surely they are the best judges, that the greatest inconvenience would arise from the Estimates being proposed by the Council going out of office, and placed before the Council which succeeds to them. The House may not perhaps be aware that the requirements of the County Council of London must be embodied in a money Bill which is laid before the House of Commons, and that money Bill must be brought before the House of Commons before the 14th of April. Now, looking to the various notices which have to be given, the requirements of the Standing Orders of the House of Commons, the shortness of the time which will elapse between the election and the date which is absolutely necessary for the production of the money Bill, the noble Lord is, I think, in error when he says that the new Council will be able to revise the Estimates of the old one. It will be with the greatest difficulty that the new Council can hurry the Estimates through with the greatest speed possible, taking no time at all to consider them, in order to embody them in the money Bill, which must be laid before the House of Commons before the 14th of April. Surely that is not what we ought, as men of business, to sanction. I can quite conceive that if there had been time to consider there might have been no inconvenience found in the elections taking place in March, so as to save having them in the fogs of November; but if there is any practical inconvenience, and if the business will not really be transacted by the County Council in a manner which is satisfactory to the constituency, because time will not allow, then I say there surely cannot be any sound or good reason, and I cannot see why we should insist upon placing the County Council of London in a position of great inconvenience for the sake, it appears, of an opinion which has been expressed on the part of some members for London. I do not like to impute to any of the members for London that they have any political reason, but there have been some people who have suggested that there may be some reason behind this, and I am almost led to believe that there must be some reason behind, because otherwise I cannot understand why this Amendment should be refused.

The Earl of Kimberley

*Lord LINGEN: I do not propose to prevent the Bill going into Committee.

Amendment (by leave of the House) withdrawn.

Original Motion agreed to: House in Committee accordingly.

Clauses 1 to 4 agreed to, with verbal Amendments.

Clause 5.

*The Marquess of RIPON: My Lords, I have a small Amendment to propose here. Under the present system the members of the County Council, whether aldermen or councillors, have to make certain declarations, and they have to make them within a fixed time, and they can also only be made before two other members of the County Councils, or before the Clerks of the Councils. With respect to the limit of time, it is somewhat extended by Clause 5 as it stands, but I am inclined to think it should be more extended. With regard to the other matter, practical difficulties often arise. It is exceedingly difficult sometimes in a large county to get two councillors together for the purpose of making these declarations, or the county councillor or alderman has to go sometimes great distances—it may be 40 or 50 miles in some counties—for the purpose of appearing before the Clerk of the Council, and I propose that some other persons more easily accessible shall have the power of receiving these declarations. If the noble Lord in charge of the Bill will accept the principle of my Amendment I shall readily agree to any alteration of its form.

Amendment moved,

In page 2, line 39, to leave out from ("made") to the end of the clause, and insert ("at any time before such person acts in the office to which he is so elected, and such declaration may be made either in the manner prescribed by the Local Government Act, 1888, or before any justice of the peace or commissioner to administer oaths in the Supreme Court of Judicature."—(*The Marquess of Ripon.*)

*Lord HENNIKER: My Lords, I have no objection to this Amendment, if the noble Marquess will only change the wording a little, so that the clause would then read, "At any time within three months after the notice of application." If not, any county councillor, chairman,

or alderman, might be two years before he made his declaration.

*THE MARQUESS OF RIPON: Will you then accept the rest of it?

*LORD HENNIKER: Yes, if the noble Marquess will make the alteration I suggest.

*THE MARQUESS OF RIPON: I quite agree to that.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 and 7 agreed to.

*LORD LINGEN: I beg leave to propose an additional clause to this effect: that nothing in this Act shall alter the date as now fixed by law for the elections of the London County Council. If your Lordships will be pleased to adopt that clause it entirely answers the object which I had in moving the reference of this Bill to a Select Committee, and, in fact, I should be very glad if this clause were adopted, instead of such reference, as being a more expeditious and equally satisfactory course so far as the London County Council are concerned.

Amendment moved, in page 3, after Clause 7, to insert the following clause:—

"Nothing in this Act shall alter the date as now fixed by law for electing the council of the administrative County of London."—(*The Lord Lingen.*)

*LORD HENNIKER: My Lords, I have only to say this: Your Lordships have decided against the Select Committee, and so to the acceptance of a clause carrying out the wishes of the London County Council. I must say I have a still greater objection to the insertion of a clause which would entirely reverse your former decision.

On Question, their Lordships divided: —Contents 19; Not-Contents 54.

Amendment disagreed to.

Bill re-committed to the Standing Committee, and to be re-printed as amended. (No. 241.)

ATTENDANCES IN THE HOUSE.

LORD DENMAN having placed on the paper the following notice:—

"To move for a Return of the number of days on which the Earl Granville attended in this House from 1846 to 1891 inclusive; and also the number of days on which the Lord Denman attended during the same period,"

THE MARQUESS OF SALISBURY: My Lords, I rise to make a Motion with respect to the order of the House. A Motion has been placed upon the Paper which I can only describe as unseemly. I might use a stronger word; but I prefer not to discuss it. I move that Lord Denman be not heard during the remainder of the sitting.

*THE EARL OF KIMBERLEY: My Lords, I wish to say in a single sentence that I concur entirely with what the noble Marquess has said upon his Motion.

Moved, "That the Lord Denman be not further heard during the present sitting."—(*The Marquess of Salisbury.*)

On question, agreed to.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 123.)

Amendment reported (according to order), and Bill to be read 3ª on Monday next.

SLANDER OF WOMEN BILL.—(No. 111.)

Amendment reported (according to order); a further Amendment made, and Bill to be read 3ª on Monday next.

MUNICIPAL REGISTRATION (DUBLIN AND BELFAST BILL.—(No. 200.)

Read 3ª (according to order), and passed.

STAMP DUTIES BILL.—(No. 217.)
STAMP DUTIES MANAGEMENT BILL. (No. 218.)
CONSULAR SALARIES AND FEES BILL (No. 221.)

Read 3ª (according to order), and passed.

HIGHWAYS AND BRIDGES BILL. (No. 234.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD BASING: I hope your Lordships may be disposed to give a Second Reading to this Bill, which is for the purpose of conferring further powers on County Councils and other authorities with respect to main roads and other highways and bridges, and thereby enabling them to conduct more easily what is at once the most expensive and most difficult

portion of their administration, namely, keeping the roads and bridges in repair. It is hoped that this measure will enable them to make many improvements which, without it, might not be within their power. Under it they will have power to contract with other persons having authority over bridges for their repair. That is the purpose of the main clause. There are two other clauses, one getting rid of certain restrictions with regard to main roads, so that the necessity of obtaining Provisional Orders in certain cases which we think quite unnecessary may be dispensed with. There is another clause with regard to the disqualification of gentlemen from serving as County Councillors on account of having any share or interest in contracts for the supply of road materials, gravel, and other things, which are now subjects of disqualification if they make sales for that purpose. Those are the provisions of the Bill, and I hope your Lordships will read it a second time.

Moved, "That the Bill be now read 2ª." —(*The Lord Basing.*)

*LORD HENNIKER: My Lords, the Local Government Board have assented to this Bill in the House of Commons, and on their behalf in this House I have only to say that they have no objection to offer to the Bill.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Tuesday next.

House adjourned at twenty minutes before Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 17th July, 1891.

QUESTIONS.

DECCAN AGRICULTURAL RELIEF ACT.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether, with reference to the proceedings of the fourth Provincial Conference of the Bombay Presidency, which sat at Poona on the 11th of May last, the attention of the Secretary of State for India has been drawn to Resolution No. 6 on the subject of the Deccan Agriculturists Relief Act, which states that the Conference viewed with alarm the proposal to abolish the conciliation system under the Act, and whether, as desired by the Conference, the Secretary of State will direct that the most recent Reports of the special officers connected with the working of the Act be published, with a view to enable the public to submit their representations to Government in the matter?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has seen in the newspapers the statement referred to in the first paragraph of the question. The subject of the Deccan Agricultural Relief Act of 1879 is now under the consideration of the Government of India, and until an expected Despatch is received from them, no action will be taken by the Secretary of State in Council.

POSTAL ARRANGEMENTS FOR THE LINCOLN DISTRICT.

MR. HENEAGE (Great Grimsby): I beg to ask the Postmaster General when the new postal arrangements for the Lincoln district will come into operation; and if he can now name the parishes in the Wragby, Rasen, and Louth sub-districts which will be transferred to the Lincoln Post Office under the new scheme?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The new arrangements will be carried into effect on the 10th proximo. The following places will be transferred to the Lincoln Postal District, namely:—Now served from Wragby: East Barkwith, Hainton, South Willingham, Benniworth, Ranby, Wickenby, Lissington, Bleasley, Barlings. Now served from Louth: Burgh on Bain, Donnington on Bain, Gayton le Wold, Grimblethorpe. Now served from Market Rasen: Claxby, Usselby, Saxby, Ormsby, Normanton by Spital, Glentham.

RIGHTS OF QUEEN'S SHIPS IN CAPE TOWN.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the First Lord of the Admiralty whether Her Majesty's ships are accorded in peace prior rights to dock accommodation at Cape Town, and, if so, whether such rights are secured by statutory authority, and under what Act; whether Her Majesty's ships would in war be secured prior rights to such dock accommodation, and, if so, what is the precise nature of the authority under which such prior rights are secured to Her Majesty's ships in war; and whether the authority and control of the Admiral (commanding Her Majesty's ships) over the ports of Cape Town and in Simon's Bay will depend in war, as well as in peace, upon the Colonial Government, and, if not, under what Statutory Authority, or by what method of procedure, can the Imperial Government confer upon the Admiral full and complete authority and control over these ports in war?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Admiralty have no statutory prior rights to the use of the dock at Table Bay, whether in time of peace or war. They did not subsidise it, and it is private property. It is understood, however, that the dock company will give all facilities for docking Her Majesty's ships. As the security of the colony from attack in time of war would largely depend upon the efficiency and mobility of our squadron in Cape waters, it is scarcely necessary to consider whether statutory powers would be required to insure the prompt docking of Her Majesty's ships when necessary under such circumstances. The Colonial Government have announced themselves prepared at all times to give prior rights of anchorage in Simon's Bay to Her Majesty's ships, and to afford them all possible facilities, and this is the existing arrangement. In time of war I can hardly believe that there would be any unwillingness on the part of the Colonial Authorities to give the Admiral all necessary jurisdiction over the ports of Simon's Bay and Cape Town, even although that jurisdiction might not be based on a local statute.

CYPRUS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the Report of the Chief Collector of Customs in Cyprus, published in the Parliamentary Papers, 1889 (p. 41, Session 1887-8), in which he states that

"A marked feature of the import trade has been the decline of imports from Great Britain since the discontinuance of the weekly mail service from Alexandria;"

and, whether, in view of the fact that the imports from the United Kingdom were, in 1883, £107,281, in 1890, £78,277, and that the British shipping entered and cleared was, in 1883, 108,038 tons, and in 1890, 40,480 tons, the Government will reconsider their refusal to re-establish a weekly mail service between Cyprus and Alexandria?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The remarks quoted from the Report of the Chief Collector of Customs in Cyprus appear to have misled my hon. Friend, as there has been, in fact, no decrease of trade between Cyprus and England. The import and export trade has risen since the mail subsidy was discontinued from an average of £100,000 a year to an average of £132,000 a year. As to the decrease of British tonnage, it does not represent a decreased amount of shipping intercourse between Cyprus and England so much as the less frequent visits of the British-owned steamers passing between Egypt and Cyprus, since they ceased to be subsided for running. The general tonnage entered and cleared has risen since the subsidy ceased. The question whether the mail subsidy should be renewed is a separate one, and it is not at present proposed to re-open it.

UNDERGROUND WORK-ROOMS.

DR. TANNER (Cork Co., Mid.): I beg to ask the Secretary of State for the Home Department if it is the intention of the Government to deal with the question of underground work-rooms commented on by Major Rae, Inspector of Factories in Birmingham; and whether, having regard to the women and girls stated to be employed, the difficulty of ventilation, the necessity for

the use of artificial light all day long, and the very defective sanitary arrangements, some steps will be taken at an early opportunity to remedy what is stated to be "an increasing evil"?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.); The Factories Bill now before Parliament does not prohibit the use of underground work-rooms, but the existing law provides for their proper sanitation under the supervision of the Local Authorities, and it is proposed by the Bill of this Session to give power to the Secretary of State, if a Local Authority is in default, to direct the Inspector of Factories to remedy the default at the cost of the Local Authority. I hope that this power may be effective in remedying such insanitary conditions of work as are referred to in the Report of the Inspector.

MALTA.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for the Colonies in view of the fact that the new Constitution for Malta of 12th December, 1887, contained a provision for the appointment of three unofficial members of the Executive Council, to be selected from the 14 unofficial members of the Council of Government, so that the Executive Council should not consist exclusively of the seven official non-elected members of the Council, and that, in a Despatch to the Governor of Malta, dated 20th March, 1890, the Secretary to the Colonies stated that, in the opinion of the Law Officers of the Crown, the Executive Council of the Government of Malta can lawfully meet and transact business, notwithstanding that for the time being there may be no unofficial members of the Council, whether he will submit to the House the Despatch of General Wilkie (No. 23, of 23rd February, 1890), to which the Despatch of the 20th March, 1890, was a reply; can he explain why the Despatch of 20th March, 1890, was only published in Malta on 21st April, 1891; whether his attention has been drawn to the fact that, at the general election held in Malta in June last, 13 out of the 14 members were elected either without opposition or by enormous majorities to represent the views of those who desire that the Constitution of the 12th December, 1887, may be so amended that the Executive Council shall be unable to transact business unless it consist of the full number of official and non-official members; and whether, taking into consideration this practically unanimous desire of the electorate of Malta, and the views of the Law Officers of the Crown embodied in the Despatch of 20th March, 1890, the Secretary of State for the Colonies will reccommend that the Constitution of 12th December, 1887, shall be so amended as to carry out what was understood at the time of its promulgation to be one of its most important provisions?

BARON H. DE WORMS: It hardly seems worth while to present a copy of General Wilkie's Despatch, but the hon. Member shall be furnished with a copy if he desires it. The Secretary of State has received no explanation from the Governor on the subject of the publication of the Despatch referred to in the second paragraph of the question. Twelve out of the 14 Members returned at the late election have, in their electoral addresses or otherwise, expressed themselves in favour of an amendment of the Constitution in the sense indicated in the third paragraph. The Secretary of State does not intend to recommend such an amendment, the effect of which would be to enable the elected Members by refusing to accept seats in the Executive Council (a course which they have already more than once adopted) to paralyse the administration of the Government.

AMERICAN DUTIES ON TIN PLATES.

SIR J. BAIN (Whitehaven): I beg to ask the President of the Board of Trade whether his attention has been called to the fact that nearly 25,000 men have been, or will be, thrown out of employment owing to the increased duties now levied on tin plates by the United States of America; and whether the Government will consider if any steps can be taken to alleviate the widespread misery which must ensue?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am aware that there is a temporary stoppage of tin plate works in Wales, involving it is said about 20,000

men. It appears, however, that the exports of tin plates to United States have been nearly double their usual amount during the first six months of this year, namely 260,000 tons compared with 139,000 tons in 1890, so that this overproduction was likely to cause a decrease of work for a time. It seems uncertain what course may be adopted at the works when the month has elapsed, but there is nothing at present to justify the apprehension that any distress will result beyond what can be dealt with by the ordinary channels.

TENURE OF FISHERMEN'S HOUSES IN SCOTLAND.

MR. DUFF (Banffshire): I beg to ask the Lord Advocate if his attention has been called to a case recently tried in the Sheriff Court at Banff, at the instance of the widow of John Innes, of Portknockie, bearing on the tenure of fishermen's houses; if he has noticed Sheriff Gutherie Smith's remarks in a note to his interlocutor in the case, describing it as

"a type of a large class of cases existing all along the North-East seaboard, illustrative of the miserable condition under which the fishing community live, and for which the Fishery Board has urgently asked that a remedy should be found, but hitherto in vain;"

and if the Government contemplate any legislation to remove the grievance to which the Sheriff refers?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The hon. Gentleman was good enough to draw my attention to this case some days ago, and I have therefore been able to inform myself about it. The litigation was not between the proprietor and the fisherman, but was a domestic dispute between the son and heir of the fisherman and the fisherman's widow, the former of whom seems to have for the most part paid for rent and repairs. The learned Sheriff seems to have assumed that the widow would have gained her case if there had been a written title to the house: but, as the son was his father's heir, this cannot be said to be obvious, for I fail to gather in what way the possession by a fisherman of a written title would of itself alter the succession to his house. The case, therefore, seems to have been the occasion rather than the cause of expressions of opinion by the learned Sheriff on the general question of title, in which he takes a good deal of interest. On the estate in question, as the hon. Member is aware, the proprietrix is willing to give a lease to any of the fishermen who wishes it, and it is, therefore, difficult to find in this condition of things, or in this particular case, a cause for statutory interference.

GREAT YARMOUTH BOARD OF GUARDIANS.

MR. LABOUCHERE (Northampton): I beg to ask the President of the Local Government Board whether, in view of the recent disclosures made at the Great Yarmouth Police Court with reference to the late election of guardians, it is his intention to hold an inquiry into that matter; and whether he will bring in a Bill next Session to provide for the election of guardians by ballot?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): At Yarmouth proceedings were instituted against several persons for offences in connection with the voting papers in the election of guardians and convictions have been obtained. The charges were of a criminal character, and the persons charged have been tried by the proper judicial authority. There is not, therefore, any ground for an inquiry by the Local Government Board. I cannot undertake to bring in a Bill next Session providing for the election of guardians by ballot.

GUNGUNHAMA ENVOYS.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a statement from Lisbon, that three Ambassadors from Gungunhama signed a declaration at Lourenço Markues on 21st May, which was witnessed by (amongst others) Her Majesty's Consul and the Consuls of six other Powers, in which it is asserted that Gungunhama denies ever having sent Envoys to this country; whether Hulululu and Umfette, who are now in this country, and who allege that they are Envoys to Her Majesty from Gungunhama, have produced any credentials in confirmation of these allegations; and whether he knows who

pays for the maintenance of these two Zulus whilst residing in this country?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I am aware that such a statement has been made; but so far as our knowledge goes no such declaration has been made on behalf of Gungunhama. The two natives now in England have not informed Her Majesty's Government that they are on an official mission from Gungunhama, and have consequently not been asked whether they have credentials. We have no knowledge as to the payment of the expenses for their maintenance.

SUGAR BOUNTIES.

MR. PROVAND (Glasgow, Blackfriars, &c.): I beg to ask the Under Secretary of State for Foreign Affairs whether the French Government has recently altered the Sugar Laws in such manner that the bounties are now less than they were formerly; also if there has been a new German Law passed which will come into force next year which reduces the bounties for the three following years, and further reduces them for two years thereafter, from which date they are to cease entirely; and if he will obtain and lay upon the Table of the House a statement of the recent legislation and regulations made by Germany and France which affect the Sugar Bounties?

SIR J. FERGUSSON: The facts are as stated by the hon. Member. As regards France, a Bill lately passed reduces the bounty paid to the manufacturer to about 1s. 10d. per cwt. This rate is about one-third of the bounty paid at the time of the Sugar Conference. In Germany a Bill has passed the Reichstag which reduces the bounty from August 1, 1892, to July 1, 1895, when it will be further reduced, and on July 1, 1897, it is to cease altogether. After July next the duty will be from 6d. to 1s. per cwt. There is no objection to laying on the Table the two laws referred to.

SEVERE SENTENCE—CASE OF HENRY EDWARDS.

MR. LLOYD-GEORGE (Carnarvon, &c.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the imprisonment for three months of a man named Henry Edwards, at the last Carnarvon Quarter Sessions, for common assault; whether, if the prisoner had been dealt with summarily, he could have been convicted for a larger term than two months for that offence; whether, in delivering sentence, the Chairman is correctly reported to have referred to previous convictions which had not been proved against the prisoner; and whether the Home Secretary will take any steps to inquire whether, under the circumstances, the sentence ought to be reduced?

MR. MATTHEWS: Henry Edwards was charged with the offence of unlawfully wounding, for which he could not have been summarily tried. The jury found him guilty of a common assault. In passing sentence, the Chairman followed a practice very common at Assizes and Quarter Sessions, and referred to the previous character of the prisoner as disclosed by the Calendar, which contained nine previous summary convictions. These could not have been the subject of counts in the indictment or of evidence at the trial. The sentence appears to me to have been proper and lenient.

VIENNA POSTAL UNION CONVENTION.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he is now in a position to give a brief statement of the results of the Postal Union Convention held at Vienna?

*MR. RAIKES: The main work of the Congress, which has dealt with some 200 proposals, has been that of completing and consolidating the Postal Union and its system. It has arranged for the accession of Australia and New Zealand to the Union on October 1 next, and has signed a new Convention, under which Her Majesty's Government will be free in important particulars relative to foreign and colonial postage. As regards the most important questions arising under this head, I am already in communication with the Treasury. The Congress has adopted extended limits of size (1ft. by 8in. by 4in.) for sample packets sent all over the Union; has facilitated the adoption of a higher limit of weight than the present where desired; has relaxed somewhat the rules

as to printed matter, circulars, visiting cards, &c.; has extended the facilities of the public in regard to postcards; generalised the system of reply-paid postcards, and arranged that unpaid postcards shall be delivered as letters instead of being stopped and destroyed. It has made provision for carrying out all over the Union the system of collecting trade charges, arranged for the exchange of closed mail bags with ships of war on foreign stations—a matter of much interest to seamen and officers of the Navy and their friends; has made rules for the prepayment of letters posted on board mail packets at sea or in port, and has laid down a uniform practice as regards charges on returned unpaid letters, and the time during which undelivered letters shall be kept before return to the writers. It has instituted a central clearing-house for adjusting postal balances, and so saving labour and charges for remittance; agreed upon means to be reciprocally adopted for repressing throughout the Union attempts to defraud the revenue by using forged or cleaned stamps, and has so simplified the complex accounts relative to transit correspondence for places outside the Union as to allow considerable amelioration of the relations of such British colonies as the Cape with the outer world. There have been numerous alterations of internal order and *régime*, with which I need not trouble the House.

ST. KATHARINE'S CHAPEL, REGENT'S PARK.

MR. LAWSON (St. Pancras, W.): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he can state what is the sum devoted to religious services at St. Katharine's Chapel, Regent's Park, out of the funds of the charity; whether three chaplains are employed, and for what period each has to be in residence; what are their duties, and whether they hold other offices; and whether any change has been made in the use of the charitable income?

MR. J. W. LOWTHER (Cumberland, Penrith): The sum devoted to religious services at St. Katharine's Chapel is, according to the last accounts received, £368. No chaplains are employed. The brothers of the hospital are required by the rules of the hospital to perform the service, two of whom must be in Holy Orders, and must reside during three-quarters of the year. One of the present brothers appointed before 1878 appears from the *Clergy List* to hold a benefice. The Commissioners are not aware of any change in the use of the charitable income.

REGULATION OF STREET TRAFFIC.

MR. FELL PEASE (York, N.R., Cleveland): I beg to ask the Secretary of State for the Home Department if he will consider the best means of regulating street traffic so as to prevent the great inconvenience and danger caused to the public from large covered vans and drays passing along crowded thoroughfares at all hours of the day; and whether the drivers of such vehicles are required in any way to prove their ability to drive safely before they are entrusted with the care of these vans and drays?

MR. MATTHEWS: The police of the Metropolis have no power, under existing statutes, to prohibit or divert the passage of covered vans and drays through crowded thoroughfares. The employers are responsible for selecting competent drivers, and the law does not require that their competence shall be proved to any public authority.

REGISTERED LETTERS.

MR. FELL PEASE: I beg to ask the Postmaster General if he will consider the desirability of altering the regulation by which any one sending a telegram to a person at a registered address must add the letters c.o., thus in most cases doing away with any advantage of the registered address?

*MR. RAIKES: The subject has already been under my consideration, but I regret that I do not see my way to alter the regulation to which the hon. Member refers. In practice it has been found that if the words "care of" or the letters co. are not used, it is difficult to distinguish the registered portion of the address, and that the public suffer from the confusion which arises.

WARWICK MUNICIPAL CHARITIES.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the hon. Member for Penrith whether a draft scheme has recently been issued by the Charity Commis-

sioners relating to the Warwick Municipal Charities; whether he is aware that, at the meeting of the Warwick Town Council, on 14th July, one of the Council gave notice of an important resolution relating to the proportion of the representative to the Co-optative Trustees, which he will move at the next meeting of the Council on 11th August; and whether the Commissioners will postpone any final decision as to the scheme until after they have had an opportunity of learning what takes place at such Council meeting?

MR. J. W. LOWTHER: The answer to the first question is in the affirmative. The Commissioners are not aware of any notice to the effect stated having been given at a meeting of the Warwick Town Council held on the 14th inst. On June 18 the Commissioners directed a print of the scheme to be forwarded to the Town Clerk, the receipt of which was acknowledged by him with an intimation that it would be submitted to the Town Council. The Commissioners are anxious to learn the views entertained by the Town Council with regard to the scheme before its establishment, but they do not understand why those views cannot be communicated to them at an earlier date than that mentioned by the hon. Member.

TINNED SALMON.

DR. TANNER: I beg to ask the President of the Local Government Board whether his attention has been directed to the poisoning of six persons, resulting in the death of one, in consequence of having eaten tinned salmon; whether it is a fact that many cases of acute gastric irritation and tin poisoning have been reported from time to time consequent upon the consumption of tinned fish and shell fish (lobster); and whether, having regard to the evidence given in the case referred to by Dr. Arthur P. Luff, an expert, before Dr. Danford Thomas, steps will be taken to inquire into the subject for the protection of the public and the safeguarding of legitimate trade?

*MR. RITCHIE: I must ask the hon. Member to postpone this question. I have not yet received the information that will enable me to answer it.

Mr. Cobb

CHRIST'S HOSPITAL.

MR. FARQUHARSON: (Dorset, W.): I beg to ask the hon. Member for Penrith whether a deputation from the Governors of Christ's Hospital has recently waited upon the Charity Commissioners in the matter of the claims of Naval Officers to have the custom continued by which a certain number of the children of Naval Officers were admitted to the Foundation of the Hospital by special presentation; and whether the Charity Commissioners have come to any decision in the matter; if not, whether, having regard to the anxiety of many parents concerned, the Charity Commissioners will make known their decision at the earliest possible moment?

MR. J. W. LOWTHER: The answer to the first paragraph of the question is in the affirmative. The proposal of the Governors, however, could not be carried into effect except by means of a further scheme amending the scheme lately approved by Her Majesty, and involving considerations, partly financial and partly educational, of great importance to the interests of the Hospital as a whole. If any such scheme should be undertaken by the Commissioners (and on this point no decision has yet been arrived at) a draft will be published in the usual way for criticism and objection.

PENCIL MANUFACTURERS.

DR. TANNER: I beg to postpone my question to ask the Secretary to the Treasury if his attention has been called to the alleged fact that several of the English pencil manufacturers who sent in samples of goods to the Stationery Department had the parcels returned to them unopened; and whether it is a fact that several English firms, who had been contractors, before preference had been given to Guttknecht, Bavaria, had their parcels of samples returned unopened?

THE CONVICT MUNCH.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he has now considered the Petition presented on behalf of the German convict Münch, whose execution has been fixed for the 21st instant, and when he proposes to communicate his decision to the condemned man?

MR. MATTHEWS: The Petition in favour of the German convict Münch only reached me to-day. I wish to give to it the fullest consideration, but I hope to announce my decision either this evening or to-morrow morning.

THE CUSTOMS.

MR. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether he is aware of the delay which has taken place in the introduction of the seven-hours system into the Long Room of the Customs; and whether steps will immediately be taken to place the Second Division clerks in that Department upon an equality in such matter with the other clerks of the same rank in Her Majesty's Customs?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There has been no avoidable delay in the introduction of the seven hours system into the Long Room of the Customs. That system has been authorised, but cannot be fully introduced until the staff has been further reduced.

SOUTH KENSINGTON SCIENCE AND ART DEPARTMENT.

MR. KELLY: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that a week's notice to leave has been given to two writers who, some time back, were sent by the Civil Service Commissioners to the Science and Art Department at South Kensington, while that Department purposes to retain several temporary clerical assistants who, though they had passed no examination and had not been certificated by the Civil Service Commissioners, were first employed there about the same time; and whether, having regard to the fact that the giving of such preference to temporary clerical assistants over Civil Service Writers would be not only directly in contradiction to the pledge given by the Vice President of the Council on Education to the House on 4th July, 1890, on the subject, but also be a step towards the revival of the patronage system, he will at once cause instructions to be issued that preference is in no case to be given to such temporary clerks over duly qualified and certificated Civil Service Writers?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Notice to leave was given to two copyists as stated in the question, and also to eight unregistered writers, in consequence of the work on which they were engaged coming to an end. It is true that other unregistered copyists are being retained, but they are engaged in work of a different nature from that in which the discharged men were employed. The two copyists would have been retained, and transferred to some other work, in place of unregistered writers, if one of them had not been very irregular in his attendance, and in the case of the other, if he had not shown himself unqualified for the new kind of work which would be required of him. Unregistered writers are never engaged by the Science and Art Department, except to meet an emergency when the Civil Service Commissioners inform that Department that they cannot supply copyists, and it would obviously be very inconvenient to constantly transfer the closing portions of temporary work, from men who had been instructed in it, to others who had to be taught. Nothing has been done contrary to the statement which I made in this House on the 4th of July, 1890.

LIVERPOOL POSTMEN.

MR. CROSS (Liverpool, West Derby): I beg to ask the Postmaster General whether he is now able to give an answer to the Memorials recently addressed to him by postmen employed at Liverpool and elsewhere?

*MR. RAIKES: In reply to my hon. Friend, I am able now to give a general outline of the new arrangements which, with the assent of the Treasury, I am now prepared to make. In London the two classes of postmen, wherever two classes exist, will be amalgamated into one class, so that the men, instead of waiting for vacancies in the higher class, will be able to progress without interruption from the minimum to the maximum of their scale. The scale moreover, in the case of each of what are called the four suburban divisions will at its maximum be raised by 2s. a week. Thus more than 600 men who now rise on two classes to 30s. a week will henceforth rise on a single class to

32s., and more than 700 men who now rise on two classes to 28s. a week will henceforth rise on a single class to 30s. Similarly 300 men whose maximum is now 24s. will rise to 26s. An increased rate of pay by the hour will also be given to the auxiliary postmen, and some of their number will be granted one week's leave in the course of the year. In the country, as in London, the division into two classes, where two classes exist, will be done away with, and the scales will at their maximum be raised in no case by less than 2s. a week, and in some cases by more. This applies to the town postmen. The rural postmen—that is, the postmen who ply between town and villages—have hitherto received fixed wages. For the future they, like town postmen, will, with few exceptions, be paid on scale, and their wages will rise considerably above what they have hitherto been. In the case of rural postmen, moreover, the period of their annual leave of absence will be extended from one week to a fortnight. Another alteration of great importance, applicable to all country postmen, town and rural alike, is that they will henceforth be paid extra for all work done on Sunday, and this payment will be at the rate of one hour and a quarter's pay for one hour's work. Thus, not only will they for six days' work be paid higher than they have been paid hitherto for seven, but if employed full time on Sunday they will receive pay for a further additional day, and that at a somewhat higher rate than for ordidays. Yet one more alteration I may mention—an alteration which is applicable to all postmen in London and country alike, both town and rural. Their uniform hitherto has not included boots, and boots will henceforth be supplied, or, rather, an annual allowance in aid of boots. As regards good-conduct stripes, the regulation of which, I am aware, has not given entire satisfaction, I am not yet prepared to announce a decision; but, good-conduct stripes apart, I cannot but think that the concessions already announced, the cost of which will considerably exceed £100,000 a year, will appear to the House as not unhandsome, and will be accepted with satisfaction by the persons concerned. I may further add that I am now in communication with the Chancellor of the Exchequer as to the best mode of recruiting the body of postmen in large towns and the conditions of entry.

THE ALBERT UNIVERSITY.

SIR A. ROLLIT (Islington, S.): I beg to ask the First Lord of the Treasury whether, and, if so, when, the proposed Charter of the Albert University in London will be placed upon the Table prior to its grant, in pursuance of "The College Charter Act, 1871"?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The draft Charter of the Albert University is still under consideration by the Privy Council Office, and has had to be returned to the petitioners for amendment. As soon as it is settled it will be laid before Parliament in accordance with the provisions of the College Charter Act, 1871, and previous to its being submitted to Her Majesty.

RATING OF PUBLIC ELEMENTARY SCHOOLS.

MR. F. S. POWELL (Wigan): I beg to ask the First Lord of the Treasury whether, having regard to the great inconveniences and hardships attending the present state of the law relating to the rating of public elementary schools, and the strongly expressed desire for an amendment, Her Majesty's Government are prepared to introduce a Bill early next Session to provide for the exemption of public elementary schools from the payment of rates?

MR. GOSCHEN: Her Majesty's Government propose next Session to deal with the question of the rating of public elementary schools, with a view to mitigating the burden upon them, while at the same time doing justice to all concerned. It is a difficult and complicated question, requiring much consideration as to the shape which legislation should take.

IRISH MAILS.

MR. P. J. POWER (Waterford, E.): I beg to ask the Postmaster General, seeing that at present the mail leaves Kill, County Waterford, in the morning, and that it is impossible to answer on the same day letters received in the morning without travelling in some cases 10 miles, whether he will direct an inquiry to be held to see if some

arrangement cannot be arrived at to obviate the great inconvenience from which people living in the Kill postal district now suffer?

*MR. RAIKES: I had already instituted an inquiry into this matter, and I hope shortly to be in a position to decide whether a later despatch can be afforded to the district of Kill.

MR. FLYNN (Cork, N.) for Mr. M. HEALY) (Cork): I beg to ask the Postmaster General whether he has received a Memorial from the Cork Incorporated Chamber of Shipping and Commerce with reference to the acceleration of the mails to and from the South of Ireland; whether he is aware that under the present system the English mails are due to arrive in Cork only at 11.45 a.m., and are seldom delivered for an hour afterwards, leaving barely an hour for reply by the 2.10 p.m. mail; whether, under the new arrangements just entered into, the English mail will reach Londonderry (about the same distance from Dublin as Cork, and with a much inferior train service) at 11.10 a.m.; and whether steps will now be taken to so accelerate the morning mail to Cork as to give a reasonable interval for reply by the mid-day mail from that city?

MR. RAIKES: I have just received the Memorial from the Cork Incorporated Chamber of Shipping and Commerce to which the hon. Member refers, and I shall be prepared to consider it as soon as the necessary Reports called for reach me. In the meantime, I may point out that one reason why the communication between Dublin and Cork occupies a longer time than between Dublin and Londonderry is that the distance from Carlisle Pier to Kingsbridge terminus is greater than from Carlisle Pier to Amiens Street. As soon as arrangements, which I believe are in progress for accelerating this transit through Dublin, are accomplished, there will, I hope, be very little difference in the time to Cork and Londonderry.

MR. FLYNN (Cork, N.): May I ask if the right hon. Gentleman cannot take steps to accelerate the mid-day delivery in Cork?

MR. RAIKES: I will make inquiry.

MR. FLYNN: I beg to ask the Postmaster General whether he has received a Memorial, signed by over 126 of the principal inhabitants of the district, including the Roman Catholic clergymen, asking for an improvement in the postal arrangements of Rathcoole and Kilcorney, County Cork, and for a daily delivery of letters; and whether, in view of the facts set forth in the Memorial, he will endeavour to meet the wishes of the people of the locality?

MR. RAIKES: The hon. Member himself sent me the Memorial in question on the 14th instant. It shall receive careful consideration.

HAULBOWLINE.

MR. FLYNN: I beg to ask the First Lord of the Admiralty whether the following paragraph, which appeared in the Cork papers of 1st July, is correctly transcribed from his letter on the 24th June—

> "In the interests of the Public Service every possible use will be made by the Admiralty of the present establishment at Haulbowline;"

and, if so, whether he will state when and under what circumstances any practical use will be made of the Haulbowline Dockyard?

LORD G. HAMILTON: The quotation from the letter in question is correct, and the letter further described the conditions under which the dockyard at Haulbowline would be used. I cannot, however, inform the hon. Gentleman exactly under what circumstances we shall make use of the establishment at Haulbowline, as the repair of Her Majesty's ships depends upon contingencies which it is impossible for me to forecast. At the present moment the basin is full of torpedo-boats.

DR. TANNER: I beg to ask the noble Lord whether all the torpedo boats of the Blue Squadron, now assembled in the Cove of Cork, are located in the floating basin in Haulbowline Dockyard, and were taken there for the purpose of getting a thorough overhauling; and whether, on its being found necessary to supplement the dockyard staff now or during the coming Naval Manœuvres, preference in employment will be given to the experienced local dockyard artizans at Passage West and Rushbrook, Cork Harbour?

*LORD G. HAMILTON: Arrangements have been made so as to enable the torpedo-boats taking part in the manœuvres to use temporarily the

basin at Haulbowline as a shelter. The torpedo-boats have undergone the usual overhauling before being commissioned, and it is not necessary that they should be again subjected to it. I cannot undertake to promise that local workmen in private yards shall be employed; but I can assure the hon. Gentleman that I am quite as anxious as he can be to utilise an establishment upon which such large sums have been expended. I doubt if it will be necessary to temporarily supplement the existing establishment, but if it is the class of workmen brought in must necessarily be regulated by the nature of the work on which they have to be engaged.

H.M.S. *TRIUMPH.*

MR. FLYNN: I beg also to ask the First Lord of the Admiralty whether H.M.S. *Triumph*, Guardship at Cork Harbour, in addition to taking in stores recently at Devonport, did also undergo the periodical overhauling and repairing in that dockyard, as did also H.M.S. *Shannon;* and, if so, in view of the letter of the First Lord to the Cork Chamber of Shipping, dated 24th ultimo, will the Admiralty consider the advisability, from an economic point of view, of employing a permanent staff of skilled workmen and of labourers in Haulbowline Dockyard, with a view to repair and refit vessels of Her Majesty's Navy when necessary?

LORD G. HAMILTON: The *Triumph* and the *Shannon* were repaired in Devonport Yard; but, as I stated early in the year, in reply to a question by the hon. Member for Mid Cork, there were other matters requiring attention in addition to simple repairs, which could not be undertaken except in one of the large dockyards. The question of having a complete permanent dockyard staff at Haulbowline has been already fully considered from an economic point of view, and if any economy could be secured by the further development of the establishment I should be only too glad to give effect to any proposals with this object in view; but at present I regret that I cannot sanction any further development of the works at the dockyard beyond what has been already authorised.

Lord G. Hamilton

BURIAL GROUND OF WELLS, CARLOW.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the attention of the Local Government Board of Ireland has been called to the neglected condition of the old burial ground of Wells, in the Barony of Idrone West, County Carlow; is the Board aware that cattle, swine, and other animals travel over and disturb the graves; and whether any steps have been taken by the Carlow Board of Guardians to erect an enclosing wall, after being repeatedly called on to do so by the inhabitants of the neighbourhood?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Local Government Board are informed that the Board of Guardians instituted steps to have the burial ground referred to enclosed, but have failed to come to an agreement with the occupier of the adjoining land as to the boundary limits. The clerk of the Union states that for some years no Report has been made to the Guardians as to the alleged trespass of animals on the ground.

THE RECOGNISANCES OF MESSRS. DILLON AND O'BRIEN.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state what amounts have been levied, and on whom respectively, on account of the estreated recognisances of Messrs. John Dillon and William O'Brien at Tipperary?

MR. A. J. BALFOUR: I am informed that in the case of Mr. John Dillon the full amount due by his sureties, Messrs. T. English and W. Hurley, has been recovered from them, namely, £250 each. In the case of Mr. William O'Brien's sureties, the amount so far recovered has been £6 19s. 6d., levied on Mr. John Bourke.

MR. T. M. HEALY: What is the amount actually levied?

MR. A. J. BALFOUR: £7.

MR. T. W. RUSSELL (Tyrone, S.): Who were the sureties?

MR. A. J. BALFOUR: Mr. John Bourke and Canon Cahill.

IRISH EVICTIONS.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, since the introduction of the Redemption of Rent (Ireland) Bill, his attention has been called to the action of certain landlords, who have taken proceedings for the eviction of leaseholding tenants who would otherwise obtain relief under the provisions of the Bill; and whether, having regard to the fact that the proceedings in question have been taken in respect of arrears of rent which the present Bill proposes to revise, he will introduce a clause making the provisions of the Bill retrospective, so as to cover all cases in which proceedings for the aecovery of rent have been taken since the 1st of January, 1891, or whether he will introduce a clause staying such proceedings until the Bill becomes law?

MR. A. J. BALFOUR: No information has reached me of the kind referred to by the hon. Gentleman in the first paragraph of the question. As regards the second paragraph, I beg to point out that the Blll mentioned in no way proposes to deal with arrears of rent.

DUNMANWAY MODEL SCHOOL.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how it happened that Mr. McSwiney, the assistant teacher at the Model School, Dunmanway, has been summarily dismissed from the service under the National Board of Education in January of the present year; whether Mr. McSwiney has taught in schools under control of the Board for 24 years, without any complaint being made against him; and on what grounds the Commissioners declined to pay the quarter's salary to Mr. McSwiney, which they guarantee to every teacher who is dismissed without previous notice, and against whom "misconduct, or other sufficient reason," cannot be alleged?

MR. A. J. BALFOUR: The Commissioners of National Education report that under the rules of the Board the services of Mr. Sweeny and the other assistant at Dunmanway Model School had to be dispensed with from the 31st December last owing to a permanent decrease in the average daily attendance in the school. No specific notice is needed in such cases, as from the existing rules an assistant is aware that a reduction of the average in the first of the quarters is necessarily followed by his services being dispensed with at the end of the second quarter should the reduction continue.

CORK MILITIAMEN.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the cess payers of the County, or a portion of the County, of Cork have been condemned to pay £1,000 indemnity to Constable Timothy Courtney, who was severely beaten, and unfortunately lost an eye, in a conflict with a number of drunken Militiamen, at Whitegate, County Cork, on the 21st ultimo; and whether it is usual for civilians in any locality to be made responsible for outrage or misdemeanour perpetrated by military?

MR. A. J. BALFOUR: I must ask the hon. Member to defer this question.

THE EDUCATION GRANT TO IRELAND.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland on what day will Irish Members be allowed an opportunity of discussing the allocation of the grant to Ireland corresponding to the grant to England for the abolition of school fees?

MR. A. J. BALFOUR: I hope there will be a good opportunity next Session for discussing the matter fully.

COLONEL NOLAN: At what period of the Session will the temporary advance be made?

MR. A. J. BALFOUR: I think the hon. and gallant Member cannot have been in the House when I answered this question rather fully the other day. It has been thought on the whole better not to make any allocation this year, but to wait until the full scheme of the Government with regard to free education in Ireland shall have been brought in next year, and if that cannot be passed before the close of the financial year on March 31, then the Government will deal with the matter by Supplementary Estimate.

THE RIVER ILEN, SKIBBEREEN.

DR. TANNER: I beg to ask the Secretary to the Treasury whether his attention has been directed to a resolution unanimously agreed to by the Skibbereen Town Commissioners, in the County of Cork, protesting against the construction of a three-arch railway bridge across the River Ilen at Skibbereen, and calling attention to the suffering and sickness which have, in the past, been caused by floods in Skibbereen; and whether steps will be taken to provide a one-span bridge for the Light Railway, and thus prevent any obstruction in the river's course?

MR. JACKSON: I have not seen the Memorial to which the hon. Member refers, but I am informed that the bridge over the River Ilen at Skibbereen will be a one-span bridge, and not a three-span bridge as is suggested by his question.

DR. TANNER: Will there be any obstruction to the course of the river?

MR. JACKSON: I cannot give any opinion upon that point at present.

THE CRIMES ACT.

DR. TANNER: I beg to ask the Attorney General for Ireland how many prosecutions of men on strike have been made under the Criminal Law and Procedure (Ireland) Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): There has only been one prosecution.

PUBLIC BUSINESS.

MR. E. ROBERTSON (Dundee): I wish to ask the Chancellor of the Exchequer whether he will explain the meaning of the undertaking he gave last night, and, further, whether he will consider the question of opposing after 12 o'clock private Members' Bills of which notice of opposition has been given?

SIR W. HARCOURT (Derby): May I ask the right hon. Gentleman to make a definite statement on the subject. I certainly understood that the arrangement come to a fortnight ago was that the time was to be given to Government Business and no other. If we once enter on the question of private Members' Bills there will be no end to it.

MR. GOSCHEN: The point is whether when a small remnant of time remains after Government business has been disposed of, and before 1 o'clock, a Bill which is almost unanimously desired by the House should not be proceeded with if no one objects. I am inclined to think it is rather hard on private Members that they should not get a chance of influencing the objector, the latter being on the spot. However, the matter is one rather for the House than for the Government.

SIR W. HARCOURT: I am afraid the procedure suggested would involve the necessity of a majority of private Members who may oppose a Bill staying until 1 o'clock in order to make their opposition effective.

MR. GOSCHEN: I may point out that no Division could be taken. The moment any hon. Member objected the Bill would fall to the ground. Nobody need stop except one single Member who was opposed to it.

MR. E. ROBERTSON: Why should Members who are opposed to a Bill be compelled to wait till 1 o'clock for the purely formal purpose of opposing it?

MR. FLYNN: The understanding was that none but public business would be taken.

DR. TANNER: There is no necessity for private Members waiting till 1 o'clock, because the House is perfectly able to deal with all these matters. By little arrangements certain Bills are allowed to pass, and others are blocked as the case may be. There need be no hesitation on the part of Members about this matter.

SIR W. HARCOURT: Unless there is an understanding that these Private Bills will not be taken between 12 and 1 o'clock, a good many Members will be put to inconvenience, and will have to remain in attendance.

MR. E. ROBERTSON: Do the Government intend to take up the Infants' Betting Bill on their own responsibility?

MR. GOSCHEN: No, Sir.

*MR. H. H. FOWLER (Wolverhampton, E.): I understand that if Supply goes on until 1 o'clock the distinct pledge of the Government will come in?

MR. GOSCHEN: Yes, Sir.

INTERNATIONAL COPYRIGHT.

MR. BRYCE (Aberdeen, S.): May I ask the Under Secretary for Foreign Affairs if he proposes to lay on the Table the Correspondence between Her Majesty's Government and the Government of the United States in reference to International Copyright?

SIR J. FERGUSSON: Yes, Sir; the Correspondence will be presented.

MR. BRYCE: How soon?

SIR J. FERGUSSON: I should say within a week. I believe it is ready for presentation now.

CORN SALES.

Report from the Select Committee, with Minutes of Evidence, brought up, and read [Inquiry not completed].

Report to lie upon the Table, and to be printed. [No. 347.]

MESSAGE FROM THE LORDS.

That they have agreed to Amendment to Fisheries Bill [Lords], without Amendment.

That they have agreed to Brine Pumping (Compensation for Subsidence) Bill, with Amendments.

TOWN HOLDINGS,—That they do request, that this House will be pleased to communicate to their Lordships a Copy of the Report, &c., from the Select Committee appointed by this House in the present Session of Parliament on Town Holdings.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £15,624, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

*(4.15.) MR. W. PRITCHARD MORGAN (Merthyr Tydvil): I was engaged in moving the reduction of this Vote by the sum of £100 last night when the proceedings were interrupted. In order to give the Committee some idea of the ability displayed by the Office of Woods and Forests for the work they have to discharge, I wish to point out that there are many farms in Wales upon which quit rents amounting, as the case may be, to 1d., 2d., 1s., and 2s. are levied. When these sums are paid to the Woods and Forests a separate receipt is given in every case, no matter how modest the amount may be, and for each receipt a sum of 4d. has to be paid. I only mention this fact to show the Committee how full of red tape and circumlocution the Office of Woods and Forests is, and as an introduction to a more serious indictment. As far back as 1884 I commenced mining operations in North Wales, and for four years the Woods and Forests took no notice of them. They allowed me to spend large sums of money in erecting machinery and in opening up mines, and it was not until the 6th of July, 1888, that they swooped down upon me and stopped the whole of the works. It is only right the Committee should know that this particular locality has long been marked upon the Government maps as containing lead, silver, and gold. Now, it is well known that the Government claim a royalty upon gold and silver, but when I commenced my mining operations in North Wales, I was led to believe that I should not be interfered with. For many years silver had been obtained in considerable quantities in the Principality. No less than £1,500,000 has been realised from silver got from the mines of Great Britain since 1875, and not one single penny of royalty has been paid upon it. I and my friends, therefore, naturally assumed that we should not be interfered with in our efforts to work for the other precious metal—gold. But the Woods and Forests instituted proceedings against us in connection with our workings. The case was in the Court of Chancery for some years, and ultimately a decision was given, to which I wish to refer as showing the disgraceful state of the law in this country with respect to mining. One would think that this Office of Woods and Forests, composed of men of intelligence, would endeavour to make

some attempt to allow the natural resources of Crown property to be developed. These gentlemen, however, appeared to consider that they were already doing quite sufficient work, and that a further development of the resources of the country might add to their arduous duties in a way that was not desirable. They, therefore, object to the development of this particular industry. The Chancellor of the Exchequer has on many occasions been most profuse in his promises with reference to this matter. No doubt his duties are heavy, and occasionally he has to perform, in addition to his other labours, the duties of Leader of the House, but surely between the beginning of 1888 and now there was sufficient time for the right hon. Gentleman to give the interview which he had promised over and over again, not only to myself but to other Members of the House, sitting on both sides, who are pecuniarily interested in the matter. If the right hon. Gentleman will read the communications which have passed, he will see at once that he has failed to keep his promises. We have had great difficulties to encounter in Wales. We have had to contend with the Crown and with the landlords, and the law upon the question is probably unique. The Crown say that they are entitled to all the gold in Wales, but what have they done to justify their title. I maintain that the conduct of the Woods and Forests has been cowardly in the extreme. If the Crown is entitled to the gold and silver in Wales, why not grant licences to those who are desirous of working for these metals, reserving to the landlords what they are entitled to as owners of the surface land? When we went to the Crown for a licence we were told that we must first go to the landowner, and so difficulties were accumulated. But we have struggled away, and some measure of success has crowned our efforts. I claim that we have solved what we consider to be a great problem—the question whether or not out of large quantities of low grade ore we could produce gold at the rate of a quarter of an ounce per ton. It is a small amount, it is true, but we have demonstrated that it can be done, and have at least achieved something which entitles us to some consideration at the hands of the Government. I think it is a great achievement, and one that has been equalled by very few mines in the world, to prove that lodes with ¼ of an ounce of gold per ton can be worked at a profit. We have succeeded in our operations, and we are able to show that there are large bodies of similar ore in the Principality which may also be worked to a profit. Dr. Le Neve Foster, Inspector of Metalliferous Mines, Reports to the Home Secretary upon the condition of these mines; but if the Home Secretary is asked a question respecting them in this House, he says that he has nothing to do with them, and that they are in the Department of the Chancellor of the Exchequer. The Chancellor of the Exchequer when questioned as to the embargo placed upon gold mining by the law of the land intimates that the Attorney and Solicitor General are responsible, and the Solicitor General, on the other hand, expresses regret that the matter is not in his Department and adds that he has nothing to do with it. In this way we have been sent from pillar to post, and have been unable to obtain the slightest satisfaction. There is one matter in regard to which the Attorney General is greatly to blame. He has admitted that the gold and silver in the Australasian Possessions belong to Her Majesty, just the same as the gold and silver in this part of the Queen's Dominions. That being so, why have the Government observed a different rule in the two cases?

THE CHAIRMAN: Order, order! The rights of the Colonial Governments are not under the notice of the House. It has been settled long ago that the rights of the colonies have been conceded to the colonies themselves.

*MR. W. PRITCHARD MORGAN: I submit with great respect that under the constitution of the colonies they have the control of the gold and silver in the mines just the same as this country have control.

THE CHAIRMAN: That being so we have no power to interfere with it. The Attorney General has nothing to say to it, and it is outside the scope of the discussion which can be raised upon this Vote.

*MR. W. PRITCHARD MORGAN: I bow to your decision, Mr. Courtney,

and will not pursue the subject; but I think, and many lawyers in this country also think, that the gold and silver in Wales are no more the property of the Crown than they are in the colonies. The Report of Dr. Le Neve Foster shows that until there is an alteration of the law, all hope of profitable gold mining in this country must be given up. I wish the Committee thoroughly to understand the amount of encouragement we have received in North Wales. The late Sir Warrington Smythe said that from six to eight ounces of gold per ton in Wales would, with economical management, pay for working; but the new adviser to the Crown calculates his royalty on 5 dwts. of gold and silver. According to the sliding scale, out of 20 ounces of silver to the ton you would take something like two ounces, and that two ounces would very often be the profit obtained. Before submitting the sliding scale, surely the right hon Gentleman might have granted me an interview on the subject.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.); I invited the hon. Member.

*MR. W. PRITCHARD MORGAN: I had an opportunity of seeing the hon. Member for five minutes, but he was so busy that I could not lay the matter before him. But to continue. There is a point at which you arrive when the cost of production exactly equals the value of the produce, and I think at that point we ought to receive encouragement in the hope of something better. The cost of removing a low grade ore is 5s. We will estimate that the ore contains 7s. 6d. worth of gold; the cost of obtaining that from the ore is 5s., making a total cost of 10s. Either we must lose the first 5s. or work the ore, in order to reduce the loss to 2s. 6d. instead of 10s., because the net product is 7s. 6d. But we have one who is known in Wales as Job Bowen, who in levying the royalty has not even got a pair of scales, and he does not understand troy weight. I believe he weighs the gold in an ironmonger's shop. He does not afford the Government the slightest protection, and if we were so disposed we might remove large quantities of gold from the Principality. So far back as last August I sent the right hon. Gentleman the Chancellor of the Exchequer a memorial signed by 73 Members of this House, asking him whether he would be good and kind enough to consider the question of accepting a fair proportion of the profits, instead of taking from us a sum regardless of whether we make a profit or loss. The right hon. Gentleman did not reply except by a private letter.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I directed a letter to be forwarded acknowledging the memorial and stating that I did not accept the allegations in it as proved. If the hon. Gentleman did not receive the letter I will make inquiry.

*MR. W. PRITCHARD MORGAN: It was acknowledged by a private letter to which I do not propose to refer, and it made a promise which has never been carried out. I was promised an interview if a certain event happened in this House. That event has long since passed, and I have had no interview. I want the right hon. Gentleman to remember that in no country but this are any restrictions placed upon the production of the precious metals. Many years before my advent in Wales, lead and copper ores were sent to Swansea where certain gentlemen, whose names are well known in this House, made enormous sums of money out of the gold they found in these ores. Will the right hon. Gentleman remember that, and will he also remember that the gold contained in the ore we are working to-day is of no value without expensive machinery to treat it in the immediate locality where it exists. The making of gold a marketable commodity is accomplished by a process subsequent to the obtaining of the ore. The right hon. Gentleman will probably say that the State is receiving a small amount, but I may say that the dividend which we have made on this particular property which we are working is £10,500.

MR. GOSCHEN: On what capital?

*MR. W. PRITCHARD MORGAN: On a capital of £210,000. The amount of money paid to the Government has been £1,707, and to the landowner by way of royalty £1,750; so that we have had to pay in royalty about 30 per cent. of the amount we have been able to pay in dividends. That is, of course, irrespective of the Income Tax. It may be said that we have over-capitalised

the mine. [Mr. JACKSON: Hear, hear!] The right hon. Gentleman says "Hear, hear!" but I can state that so rich was the ore when the mine was placed upon the market that an offer of £50,000 was made to me for a fourth share. And the right hon. Gentleman has had before him a complete financial statement of the position of the mine, and he knows pretty well that at this moment I am £50,000 out of pocket by my connection with Welsh gold mining. But I have an ambition higher than mere "filthy lucre"; I have the desire to be the projenitor of a profitable industry in the Principality, and even though it is my fad, I will pursue it despite the jeers and sneers from the Treasury Bench. Now, the Woods and Forests Office, before my advent in Wales, had collected 11s. 9d. a year out of this industry. If they think there is no gold in Wales why do they insist on these exorbitant royalties? It is not long since they used to charge 1-10th; we got that reduced to 1-15th, and now it is 1-30th. The Chancellor of the Exchequer, a great financier, announced to the world that we require greater gold reserves in the banks of this country, and he told us that if we had not on a recent occasion got some money from France the result would have been disastrous. Now, we have produced half a ton of gold out of one small mine, which goes to show that we could increase the amount of gold in this country. The salaries and cost of the Office of Woods and Forests is something like 25 per cent. of the whole cost of administering Her Majesty's Woods and Forests. The solicitor, who has a handsome salary besides fees, charges £20 for a licence to search for gold. That is before you can search on your own land, you must pay £20. Besides, if you find gold, the Government do not merely take their proportion, but they require you to treat the ore for gold, and then pay the carriage of the gold to London, together with the insurance. I do think the time has arrived when the Chancellor of the Exchequer, so anxious, apparently, to increase the gold reserve in the banks in England, should encourage this industry and permit us to take out the gold from the mountains in Wales. Will it be believed that the Office of Woods and Forests act under a law passed in the reign of Elizabeth? Surely such an unsatisfactory state of things should be remedied.

THE CHAIRMAN: It is not within the cognisance of this Committee to discuss alterations of the law. The hon. Member must take the law and start from that basis.

*MR. W. PRITCHARD MORGAN. The condition of the law is such that a man having a lead mine is protected to the extent of £22 of gold, and if he has a copper mine, to the extent of £15 of gold.

THE CHAIRMAN: The hon. Member is criticising the law. That is not within the province of the Committee. The hon. Member has power to criticise the acts of the Administration.

*MR. W. PRITCHARD MORGAN: I complain of the action of the Commissioners of Wood and Forests in not having interested themselves in this work, and I want the law to be altered so that this industry may be developed, and in order to do that, I wished to show the Committee the true condition of the Law. I say this, that the Woods and Forests Office, if they are desirous of developing the industry, are neglecting their duty by allowing the law to be in its present condition.

THE CHAIRMAN: Order, order!

*MR. W. PRITCHARD MORGAN: I will not pursue the point, but if the Commissioners of Woods and Forests allow things to remain in such a condition that they cannot collect the revenue, and the Government approve of their conduct, I have nothing more to say. Mr. Courtney, there are certain zinc mines in North Wales, and it has only lately been discovered that there is gold in this zinc, and the Commissioners of Woods and Forests are interfering. If gold is found in small quantities in antimony, manganese, or any other metal or mineral beside copper, tin, iron, or lead, the Crown can claim to be entitled to it, because it does not come within the exemption. In the one mine which is working under such great difficulties at the present time, there are 190 men at work. The Government have granted 447 licences, or leases. It is only fair to assume that, at any rate, a proportion of these 447 mines could have been at work. If 50 or 100 were at work a very much larger number of men would be employed. If the Go-

vernment would take 100th instead of 1-30th, and if there were ten mines at work the Government would receive three or four times the amount of revenue which they obtain now. I cannot help thinking that the Commissioners of Woods and Forests, who have fisheries to look after in Scotland, who receive handsome salaries and expenses, are naturally, as I should be, perhaps, if I were in their positions, disinclined to add to the amount of their work. They do absolutely nothing to encourage the industry, and they will insist upon taking their proportion of our product without regard to our profit or loss. The Government have declined over and over again to take a proportion of our profit, yet nothing would be easier than for the revenue officers to levy such a tax on our profit as their consciences would allow. The Chancellor of the Exchequer wants a larger revenue of gold. Yet he keeps gold locked up in the mountains of Wales. Does he want the reserves for future generations? Will the right hon. Gentleman, if he has any desire to see this industry developed, issue a Treasury Minute that for five or seven years there shall be nothing more than a nominal charge upon gold and silver produced? At the end of that time, I promise the Chancellor of the Exchequer that a great number of mines would be opened in Wales, and that he will get a reasonable revenue from this industry? If the right hon. Gentleman will not do what I suggest, then I can assure him that it will be my duty to bring the matter before the House in a more formal manner, and I will probably take up time that might with the view of the Government have been more profitably employed.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £100, part of the salary of the Chief Commissioner."—(*Mr. Pritchard Morgan.*)

*MR. F. T. BARRY (Windsor): The Government levy a royalty not upon gold, but upon the process which makes that gold marketable, I, myself, believe that if gold mining is to become profitable in this country, it will be necessary to carry it out on a large scale and with every possible economy. I fear that if the Government continue to levy a royalty on the gold produced, it will do much to stifle this industry in its infancy, whereas if they levy it on the profit which results from producing the gold, much will be done to encourage the industry, which would probably in the future afford employment to a vast number of people, and the Crown would receive their share should the mining prove successful. These are considerations which will, I think, be acceptable to the Chancellor of the Exchequer or to any right hon. Gentleman who succeeds him. There are several grounds that might be brought forward in favour of this proposal if this were the proper time for doing so. There is one certainly that might have some weight with the Government. At present there is a mining section of the London Chamber of Commerce being formed. When the Royal Commission make their report I ask the Government not to take any action upon it until the Members of this section have had an opportunity of expressing their views to the Government. I do not think it necessary for my hon. Friend to proceed to a Division.

(5.2.) SIR W. HARCOURT (Derby): Everybody will have listened with interest to the remarks of the hon. Member who has just sat down, and who speaks with such authority on this question. I wish to support the appeal that has been made for the levying of a very moderate sum indeed—at all events, at the beginning—on these gold-mining undertakings. As a Member of the Commission of Woods and Forests I must say that there was no blame attaching to that Department, which has merely performed its duty. I believe that there is no other country in the world, however, where these rights over the precious metals exist. They do not exist in America or Australia. I was much struck with the fact mentioned by my hon. Friend that if copper or lead ore is brought into Swansea from abroad, and gold and silver is afterwards extracted from it, no royalty is charged, whilst gold extracted from Welsh ore has to pay a royalty. It may be said it is not a very heavy royalty, but at the same time these duties are a great discouragement to young enterprises. It is to the interest of every one to get gold, and especially in Wales, which is such a poor

country, is it desirable to foster any such industry. I think the Commissioners of Woods and Forests are a little too technical and high in their charges for leases of this description. They very often insist upon doing by means of a deed costing £8 or £10, that which any gentleman on his own estate would do for half-a-crown on a stamped piece of paper. I would urge that the charges upon the mining of gold and silver might be revised in a liberal spirit. We all know that in poor countries, where the landlord has land out of cultivation, he will let it for next to nothing to any man who will reclaim it, and then, after a certain number of years, when a profit has been derived from the land he will take a rent which may be a fair rent to take under those circumstances. Surely some system of that kind might be devised with reference to mining in Wales. I am not sure that it would be possible to raise a duty on the profits, because it is extremely difficult to discover what are the profits of a mining concern, and a statement of profits would be open to every species of fraud. I would much rather let at a very low rent or royalty for a certain number of years, and then raise the royalty. I think that an industry of this kind should be relieved from every possible discouragement.

(5.8.) MR. JACKSON: With everything that has been said by the right hon. Gentleman who has just spoken as regards the desirability of encouraging and stimulating not only the industry of gold-seeking in Wales but industries generally we all agree. The Government are just as anxious as anybody can be to develop to the largest extent this industry on fair terms. I think, however, that I have a little reason to complain of the tone of the hon. Member for Glamorgan (Mr. Pritchard Morgan). I must say that, having listened very carefully, I came to the conclusion that whenever the hon. Member attempted to make out any case of maladministration against the Commissioners of Woods and Forests he failed altogether, being met with the difficulty that it was the duty of the Commissioners to administer the law as it stands. As far as I could make out, he made no complaint against the administration by the Commissioners of Woods and Forests of the law as it stands.

*MR. W. PRITCHARD MORGAN: I beg the right hon. Gentleman's pardon. The Commissioners of Woods and Forests have the power, subject to the approval of the Chancellor of the Exchequer, to reduce the royalties to the lowest possible amount, but the royalties charged have amounted to 30 per cent. of the profits. I say the Commissioners have no right to insist on royalties which have practically taken from us one-third of the profits we make.

MR. JACKSON: Yes; I am aware the hon. Member said that, but I am not quite sure how he calculates his profits. I suppose he is making some allowance for interest on the large amount of capital employed.

*MR. W. PRITCHARD MORGAN: None whatever.

MR. JACKSON: It appears to me that there is a point below which a reduction of royalty would merely tend to swell the amount which the public has to pay for the mines with which the hon. Member is connected, and would not tend to increase the profits of the shareholders. It will be in the recollection of the hon. Member that there sat, for more than a year, a Commission to inquire into the administration of woods and forests. The hon. Member had every opportunity of laying his case before that Commission.

*MR. W. PRITCHARD MORGAN: I was not asked.

MR. JACKSON: The hon. Member knew that the Commission was sitting. The Government, aware of the importance of the question of mining royalties, appointed a Royal Commission to examine into the whole question. The hon. Member had the opportunity of giving his evidence before that Commission; and, as the matter under discussion is at this moment before the Commission, I think the hon. Member will agree that it would not be seemly on the part of the Government to make any changes before the Commission reports.

*MR. W. PRITCHARD MORGAN: The Commission has reference to mining royalties generally, and not particularly to those connected with gold and silver. That is a mere incident in their inquiry.

MR. JACKSON: The hon. Gentleman, at all events, gave very full evi-

dence before the Commission on this very question. I think I have a right to complain that the hon. Member has hardly done justice to the Commissioners of Woods and Forests in their desire to make a scale such as would meet the requirements laid down by the right hon. Member for Derby. The result of their careful consideration of the matter has been communicated to the company with which the hon. Member's name is associated, and that result is represented by a scale of charges which no one would say is anything but extremely liberal. The right hon. Gentleman the Member for Derby said it would be desirable in the first instance to charge a low royalty. I think the right hon. Gentleman will agree that that should be to some extent conditional upon the value of the material which is being got. If a mine is being worked on the low grade ores there should be a small royalty, so as not to hamper the industry to any unreasonable extent. The first part of the scale imposed by the Woods and Forests is as follows:—

"When the ore or veinstuff crushed or otherwise treated for the extract of gold and silver during any half-year of the term produces (on an average) per ton of ore or veinstuff not exceeding 5dwts. of gold and silver, a royalty of one one-hundreth part in value of the gold and silver obtained."

I contend that 1 per cent. of the profit is an extremely reasonable rate of royalty to charge. Indeed, I challenge the hon. Member himself to say whether it would unreasonably handicap or hamper this industry.

*MR. W. PRITCHARD MORGAN: I am prepared to say that if the Woods and Forests would accept 1 per cent. all round it would not be unreasonable. But when they insist upon taking 1 per cent. of the product and take from the mine what may be required to make good a loss, I say that is an unreasonable thing. If they said 1 per cent. all round that would be a proposal which I have made to the Government over and over again.

MR. JACKSON: The hon. Member does not quite meet the point, but I think I may take it that the hon. Member does not really deny that a royalty of 1 per cent. under the conditions I have mentioned is a reasonable thing.

*MR. W. PRITCHARD MORGAN: Most unreasonable, with the condition imposed.

MR. JACKSON: That certainly is very strange, because the hon. Member in his evidence before the Mining Royalties Commission expressed his opinion that 1 per cent. would not be an unreasonable royalty to charge. In fact, the hon. Member went further, and said he did not think the gold mining industry of Wales could carry more than a handicap of 2 per cent. on the gross product.

*MR. W. PRITCHARD MORGAN: The right hon. Gentleman must read the whole of that evidence in order to get my opinion. I said that the industry could not possibly be handicapped by more than 2 per cent., and I suggested that if the Government would not adopt the principle of having a portion of the profit, they should have 1 per cent. on private lands and should receive 2 per cent. on Crown lands.

MR. JACKSON: That opens up another question, as to the desirability of raising revenue on the profits. I agree with the right hon. Gentleman the Member for Derby that it would be extremely difficult to fix upon a satisfactory scale or method of levying this royalty if it were to be done on profits. The hon. Member (Mr. Pritchard Morgan), when giving evidence before the Commission, was asked whether he thought a royalty on profits would be preferable to a royalty on products, and his answer was—

"I certainly think it would be if there were no difficulties in the way. I urged the Government to take the royalty in the profits, but I pointed out that difficulties would arise. I said that five or six unprincipled men having property which was valuable might change it into a limited company, and charge £5,000 or £6,000 in fees, and so absorb all theo prfits."

I hope I have shown the Committee that the Commissioners of Woods and Forests have endeavoured to meet the case in a fair manner. They have framed a scale which I think no one can say errs on the side of severity in the case of working low grade ore; and there is every disposition on the part of the Commissioners to do everything they can to develop this industry in Wales and in other parts of the country. I am speaking, of course, of the royalty to be charged on low grade ores.

SIR W. HARCOURT: Will the right hon. Gentleman say what the rest of the scale is.

MR. JACKSON: Yes; I ought perhaps to have read it before. It is as follows:—

"When the ore or veinstuff crushed or otherwise treated for the extraction of gold and silver during any half-year of the term produces (on an average) per ton of ore or veinstuff exceeding 5dwts. but not exceeding 7½dwts., a royalty of 1-75th part in value of the gold and silver obtained; exceeding 7½dwts. but not exceeding 10dwts., 1-50th; exceeding 10dwts. but not exceeding 15dwts., 1-35th; exceeding 15dwts. but not exceeding 20dwts., 1-25th; exceeding 20dwts. but not exceeding 30dwts., 1-20th; exceeding 30dwts 1-15th."

I ought to say that the proposal was that these results should be taken upon the half year's work. I certainly thought this scale would have met the hon. Member's approbation. At all events, I think the Committee will agree that in view of the fact that the whole subject is at present before a Commission it would be premature on the part of the Government to announce any decision upon the subject. We await the Report of that Commission, which I feel sure will endeavour to stimulate this industry in every possible way.

(5.27.) DR. CLARK (Caithness): Some years ago I expressed the opinion that if the Government were to develop the gold industry in Wales they must cease to levy the royalty on the gross production. We have had three years' experience since, and the result is that we have only one gold mine working in Wales, although 400 or 500 licences to work have been granted. At that time the mine of my hon. Friend (Mr. Pritchard Morgan) was producing 5oz. of gold to the ton, but now I doubt whether they will get 5dwt. to the ton. In Wales there are great bodies of low grade ore with only occasional pouches of better ore. Very much the same state of things is to be found in Sutherlandshire, and my hon. Friend is fighting in Wales the battle which we are prepared to fight in Scotland. The cost of mining alone is so much. My hon. Friend does not mine; he tunnels in the hill, and he has a water mill for crushing, and under the circumstances it is possible for the Morgan Mine to pay on 5dwts., but only under such circumstances. Then we have heard of the overloaded Stock of this gold mine. £210,000 is the nominal capital, and what is the price per share to-day? Three shillings. So that for £35,000 you can buy the mine—less than the cost of erecting the crushing machinery. It is not a question of giving bloated capitalists high dividends. What I wish particularly to urge is that if the Government are anxious to develop the gold-mining industry in Wales and in other parts of the country two conditions are necessary: The first is that the royalty should be charged on the net results. We are told that it would be possible for unprincipled owners to absorb too large amounts in fees and salaries, but 99 out of 100 of these undertakings are Joint Stock Companies, because the capital required is so large, and the shareholders will see that their dividends are not prejudiced by the high fees drawn by their Directors. A royalty on the net results will permit the poorer lodes to be worked. After three years of inquiry and discussion the Government are still going on charging royalties on the gross. A royalty of 1 per cent. upon 5dwts. of gold and silver per ton of ore or veinstuff is preposterous. With a 15ft. lode mining 3dwts. to the ton, the cost of milling would not allow of the working. Here and there you come upon a richer lode, and, by combining the two, milling is possible. But into the technical part of the question I do not wish to enter. Our position is simply this—we hold that if the royalty is charged upon the gross production it hinders and prevents the development of the industry, as has been proved by experience. The second point to which I wish to refer is the fact of the Commissioners of Woods and Forests granting licences—upwards of 400 have been granted—without laying down any conditions whatever as to working. The Commissioners ought to lay down the condition, as is done in the colonies and in every gold-producing country, that a certain amount of work must be done or the licence will be forfeited. I do not wish to take up time, but I could point out how the application of similar prejudicial conditions to those we now object to almost crushed the gold-mining industry in the Transvaal during the time that country was under the control of the Colonial

Office, whereas under present and more reasonable conditions the mines have since greatly flourished. I am confident that if in this case the Government would be content with a reasonable royalty on the net results the industry would rapidly develop in Wales and other parts of Great Britain, and add very largely to gold production.

(5.37.) MR. LLOYD-GEORGE (Carnarvon, &c.): I do not think the right hon. Gentleman has given a sufficient answer to the claim of my hon. Friend. The scale, which might be fair as applied to one set of circumstances, would not be so in another set of circumstances.

MR. JACKSON: It is based on the particular circumstances of this mine.

MR. LLOYD-GEORGE: Well, I must accept the statement of my hon. Friend, for the simple reason that he knows the mine very well, having had charge of it for six or seven years. It is no question of overstocked capital, and we find a third of the profits going in royalties. The principle upon which the royalties are charged has not, I think, been adequately considered by the Commissioners of Woods and Forests. When a mine is situated in the heart of the mountains, 10 or 15 miles distant from railway communication, there is an increased cost in carrying on operations, beginning with the cost of conveying and erecting machinery, and this I do not think has been adequately considered. Then, also, I find that local agents are consulted in the imposition of these rates, getting a percentage on the royalties charged. I do not know whether this applies to this particular mine, and I do not suggest any sort of corrupt motive; but if a man has a pecuniary interest in the royalty on a mine being high or low, necessarily this will influence him. The system is a bad one, and I believe that as long as the local agents have a direct personal interest in the royalties charged we shall never have a fair or reasonable system established.

MR. NORRIS (Tower Hamlets, Limehouse): I only wish to ask the Chancellor of the Exchequer whether he will agree to leave the matter open until the minerals section of the London Chamber of Commerce, which is about to be appointed, can place their views before him?

(5.41.) MR. GOSCHEN: I would prefer that the minerals section of the London Chamber of Commerce should put their views before the Royal Commission now sitting. I cannot, of course, say that the views they express before the Commission will be carried into effect, but their views would be embodied in the Report of the Commission, and I can promise, at all events, that the recommendations that are made upon them shall be attended to without delay. I would remind hon. Members on both sides that in regard to this question the Government are only waiting for the Report of the Royal Commission to decide on what course to take, and it would be premature, if not unseemly, for us to give any pledge at the present time as to taking any particular course of action before considering the Report and evidence to which so much attention is given.

*MR. W. PRITCHARD MORGAN: But the Royal Commission may sit two or three years longer yet, and what is to be done in the meantime? Unless I get a satisfactory assurance that the Government will take some action at once, I must press the matter to a Division. The scale which has been proposed by the right hon. Gentleman is an absurdity, and I think the Chancellor of the Exchequer, having already had so many statements and facts laid before him, would do well to adopt the suggestion that the Government should charge a mere nominal royalty for the next four or five years—or even three years, so that a chance may be given to push forward this as yet undeveloped and untried industry. If the right hon. Gentleman will agree that for three years a nominal royalty shall be imposed I will at once withdraw my Motion.

(5.45.) The Committee divided:—Ayes 90; Noes 134.—(Div. List, No. 360.)

Original Question again proposed.

(5.55.) MR. LLOYD-GEORGE: There is another matter in relation to the administration of the Department in Wales to which I wish to draw attention. The Crown lands in Wales extend over 273,939 acres rich in mineral wealth, and in the administration of this property the people are deeply interested. I have to call attention to what I must

condemn as the bad administration of the Office of Woods and Forests in connection with the Gwylwyr Sett Quarry in North Wales. The quarry, which used to employ some 200 or 300 men and was a valuable industry to the locality, has been closed by the lessee, and the general belief is that he has simply desired to obtain possession of the quarry, not to work it, but to prevent its being worked by anybody else in competition with another quarry on the other side of the mountain in which the lessee is interested. I have asked the Secretary to the Treasury many questions in reference to this subject, and I urged, as I wish to urge now, that there should be a clause in these leases requiring the lessee to work a quarry. I wrote a letter to the right hon. Gentleman giving him my reasons for this, and the receipt of that letter he acknowledged, and I also told the right hon. Gentleman that there were neighbouring owners quite prepared to undertake the working of the quarry. The right hon. Gentleman told me, in one of the answers he gave, that it was usual to insert in these leases a proviso that a minimum number of men should be employed in the quarry, and that if they were not employed the Crown should resume possession. He did not say, however, what the minimum was. This quarry had been keeping 200 men in constant employment, and I think Mr. Parry ought to have been compelled to keep at work a number of men proportionate to the size of the quarry. The right hon. Gentleman assured me that a provision would be inserted in the lease for the purpose of compelling the lessee to work the quarry. It is certainly rather remarkable that the lessee of the quarry was a Unionist candidate for this particular locality at the last election. I think it is most important that the properties which are in the hands of the Crown in Wales to the extent of 210,000 acres should be conducted for the benefit of the people of the locality. The right hon. Gentleman said that a minimum number of men should be employed. I am informed that Mr. Parry keeps four men at work in a quarry where 200 men were formerly employed. The right hon. Gentleman will no doubt say that if the quarry is not worked it will be a loss to the lessee; but it is really to the advantage of Mr. Parry to pay a rent of £200 a year merely to prevent anyone else working the quarry and competing with his other quarry. He might lose £10,000 a year by having it worked by someone else. Unless the right hon. Gentleman can present the case in a different aspect from that in which it now appears to me, I must press the matter to a Division. I beg to move the reduction of the Vote by £300.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £300, part of the Salary of the Chief Commissioner."—(*Mr. Lloyd-George.*)

*(6.7.) MR. W. PRITCHARD MORGAN: The case to which my hon. Friend refers is one of which I have some little knowledge. It appears that this quarry is to be shut up because a gentleman on the other side of the mountain has a quarry of his own with the trade of which he does not want to have any interference. The idea of employing only two men in a quarry is too monstrously absurd to need any comment. It must be evident that it was the intention of the Office of Woods and Forests to shut up this quarry and keep it from working. This is in keeping with the whole conduct of the Department. I have in my hand some most amusing correspondence in the shape of a letter from an Under Sheriff to the Office of Woods and Forests. He writes acknowledging the receipt of two warrants of execution for Crown rents, amounting to 2s. 2d. each, and he says—

"I do not see that I can seize, as the warrants are addressed to no one. No name has been filled in after the word 'To' at the top of the warrants."

The letter is dated the 10th of March, 1891, and there is the following postscript:—

"Your warrants are dated the 19th of February, 1890. Is this correct? The present Sheriff was not in office at that time. Does this matter?"

The fact is, that the whole administration of the office is of the most disgraceful character, and is quite in keeping with the manner in which the Commissioners have treated the gold industry. They have not been near us to look after the interests of the Crown. The Commissioners get the same amount of

money, whether they do much or little, and the interests of the Crown and of the public are totally disregarded by them.

(6.12.) MR. JACKSON: The hon. Member has fairly stated what has taken place with regard to these quarries, and I do not think I can add very much to what he has said. I understand that the fact of the quarry not being worked is owing, not to any desire not to work it, but to the condition of trade. This is only one quarry out of six or seven in the district equally well situated that are not being worked at present. The Woods and Forests Department accepted the best tenant they could get and on the best terms.

MR. LLOYD-GEORGE: The right hon. Gentleman states that there are half a dozen other quarries equally well situated that are not open at this moment. He wrote me a letter stating that he would be glad to have one of them worked by the people of the locality. I am very much obliged to him for his letter, but I may say that when I looked into the matter I found it was a quarry which had never produced good setts. It is half a mile further from the sea than one with which it would have to compete, and this would involve the construction of half a mile more of railway. I sent the right hon. Gentleman's letter down to the district, and was told that it would be impossible to compete for a moment with the other quarry. With regard to the quarry with which I have been dealing, I say the Department ought to have handed it over on the express condition that the lessee must work it. There was no reason whatever for handing it over to Mr. Parry, unless it was the desire to indulge in a bit of favouritism. I am afraid the matter cannot be remedied now. I can only ask the Woods and Forests Commissioners to enforce such conditions as there are in the lease, although those conditions are really not worth the paper they are written on. I cannot help thinking that the right hon. Gentleman is of the same impression as myself, namely, that the Woods and Forests Commissioners have not acted properly in this matter.

*(6.20.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I do not know this particular quarry, but I know enough of slate quarries in general in Wales to know that the "condition of the trade" is a very common excuse for gentlemen in the position of Mr. Parry not working their quarries at all. It is with a view to meet cases of this kind that it is usual to insert in leases of quarries a covenant requiring the employment of a certain number of men. I should like the right hon. Gentleman to tell me what the number of men employed in this quarry is. If there are, as I hear, four, it is a mere colourable working. We perfectly understand the meaning of this dog-in-the-manger policy. It is adopted simply for the purpose of staving off competition. If the Amendment be pressed to a Division, I shall certainly vote for it.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I do not know anything about the merits of this particular case, and, therefore, I cannot form any better judgment upon it than those Members who have taken the trouble to listen to my hon. Friend, but it is quite certain, from what my hon. Friend has said, that in dealing with the Crown lands in the Principality a good deal of natural dissatisfaction has arisen. Crown property in Wales is of a very peculiar character. I am a Member of a Select Committee which during the last two Sessions has been considering the question of Crown property. The case my hon. Friend has brought forward only confirms the view I formed and ventured to express when the Committee were considering their Report, namely, that a Central Department cannot possibly deal with property of this kind so satisfactorily as it can be dealt with locally. I am not for a moment suggesting that the central administration of the Commissioners is not, under the circumstances, as good as could be expected. I think the result of our careful inquiries conclusively proves that the property of the public is administered by the Commissioners efficiently and economically and, under the circumstances, as well as could be expected—better and more cheaply, in fact, than ordinary great estates are managed. I wish to add also that the administration is honest. The Crown property in Wales consists of 84,000 acres of waste land. The Crown has all the manorial rights over that land, and, of course,

owns the minerals under it. It also owns the mines under 189,000 acres of waste land, of which it had formerly the manorial rights. What has become of the surface ownership? Somehow or other there does not seem to have remained any part of the surface which belongs to the Crown. The total receipts of this enormous tract of country are only £14,000 a year. It is clear from the evidence given before the Committee that there exists in Wales a deep-seated feeling that the administration of this great area of land ought to be in the hands of the representatives of the people in Wales itself. I suggested to the Committee that it was in every way desirable that the Crown lands should be locally managed by the County Councils, and the proceeds applied for the benefit of the people. That seems to me to be a conclusion to which we are also irresistibly drawn by this discussion.

*(6.28.) MR. SAMUELSON (Gloucester, Forest of Dean): I wish to ask what are the intentions of the Government with regard to carrying out the recommendations of the Committee on Woods and Forests? That is a matter in which my constituents are very much interested. One of the points on which the Committee made a recommendation related to the contribution by the Office of Woods and Forests to religious and educational purposes. At present they are only allowed to give to Church of England schools. Another recommendation was as to the enclosure of land for public purposes, such as gardens and allotments. The other principal point relates to the amalgamation of gales in Dean Forest; and the avoidance in cases of amalgamation of way-leaves and tolls.

MR. JACKSON: I may inform the hon. Member that it is the intention of the Government to give effect to the recommendation of the Committee to which he has referred, and steps would have been taken to do so this year if time could have been found for the introduction of the Bill. I rather think that the legislation required was of that kind which appertains to Private Bill legislation, and therefore notice would have had to be given before the Bill was lodged. In order to comply with those requirements the matter has necessarily been postponed; but I hope it will be possible to give the requisite notice so as to bring on the Bill next Session.

MR. PICKERSGILL (Bethnal Green, S.W.): I desire briefly to call attention to a matter in connection with this subject. It is well known that the Commissioners of Woods and Forests are the owners of a large property, of which the ground rents alone amount to upwards of £237,000. The Committee to which reference has been made recommended in their Report that the management of certain property appeared to be in the hands of Mr. A. Tate, and they added that they were of opinion that one of the Commissioners should take a more active part in the management of the property. The question I desire to ask is, whether anything has been done to give effect to that recommendation; and, if so, who is the Commissioner to whom that duty has been assigned?

MR. JACKSON was inaudible in the Gallery.

(6.37.) The Committee divided:—Ayes 89; Noes 136.—(Div. List, No. 361.)

Original Question again proposed.

(6.47.) MR. LLOYD-GEORGE: I should like to call the attention of the Committee to the administration of the Woods and Forests Department in regard to the slate quarries in North Wales, and the extortionate charges that are made in the shape of royalties in those quarries. I am informed by competent judges that there is a large amount of undeveloped property of this kind in North Wales that would otherwise be worked if it were not that the industry is so crippled by those exorbitant charges. I am assured by quarry proprietors in this slate district that not one of them has been enabled to make more than 2 per cent. profit during the last 10 years; in fact, some of them have not made a single penny profit during the whole of the time they have been working in the quarries. They have repeatedly made representations to the Commissioners of Woods and Forests with a view of securing the reduction of those royalties, and in consequence some slight reductions have been made, but they have been so slight that they have not been enough to enable the proprietors to work the quarries properly. I wish to ask the right hon. Gentle-

man before I move the reduction of the Vote whether he does not think the complaints made by the quarry proprietors are well founded?

MR. JACKSON: This is the first time I have heard of the complaint made by the hon. Member, and I shall be very glad if he will lay before me the necessary facts, in order that I may inquire into the matter. With regard to the fixing of the rents, I would remind the hon. Member that the Commissioners of Woods and Forests are advised by experts, and there is a universal approval of the competency and fitness of Mr. Foster-Browne, who has succeeded to the post of adviser.

MR. LLOYD-GEORGE: I do not deny the fitness of Mr. Forster-Browne, to advise in connection with matters relating to collieries, but I doubt whether he has had the necessary practical experience to qualify him as an adviser on matters relating to slate quarries.

*(6.50.) MR. CREMER (Shoreditch, Haggerston): Before the Vote is taken, may I ask what are the hours of the clerks in the Office of Woods and Forests?

*MR. MORTON (Peterborough): I would also ask the right hon. Gentleman another question, namely, whether the Solicitor to the Department, who receives a salary of £1,500 a year, gives the whole of his time to the work of the office?

MR. JACKSON: In reply to the hon. Member for Shoreditch, I believe the junior clerks in the office of the Commissioners of Woods and Forests are employed for six hours in the day.

*MR. CREMER: Does that include the time for refreshment?

MR. JACKSON: I suppose they take refreshment. But, at any rate, their hours of attendance are what I have already stated. The Solicitor gives the whole of his time to the office, and nothing is paid to him for allowances for the clerks except in the case of money actually expended. In reply to the hon. Member for Carnarvon, I should not like to say that I had so little confidence in Mr. Foster-Browne that I should prefer to take the opinion of someone else, but I will undertake to give consideration to the matter brought under my notice by the hon. Member.

DR. CLARK: I wish to call the right hon. Gentleman's attention to a grievance existing in the western part of my county. That grievance is that a large number of farms are held by one person, and the result is that there is a great deal of agricultural sweating going on. We should like the representatives of the Crown to consider this question when the existing leases expire.

Question put, and agreed to.

2. £35,174, to complete the sum for the Works and Public Buildings Office.

(6.55.) MR. CREMER: I wish on this Vote to call attention to the item for the Superintendent of Furniture. The right hon. Gentleman last year or the year before that informed us that the contract would be thrown open to such firms as might desire to tender for the supply of furniture for the Government Offices. Up to the time we began to heccle the right hon. Gentleman on the subject some two or three persons appeared to have had a monopoly in supplying this furniture, and there seemed to be a very comfortable arrangement among the furniture dealers with regard to this subject; but the right hon. Gentleman, in that spirit of fairness and honesty which always characterises his conduct in this House, assured us that he would do his best to have that contract thrown open. The workmen in the trade were, however, unable to obtain a list of the firms supplying furniture, and they asked me to obtain the particulars. I applied at the office, and a promise was made to supply the conditions, but so far they have never reached me or the workmen. I should be glad to know from the right hon. Gentleman the reason why. I should also like to know, too, what are the duties performed by the Superintendent of Contracts for Coals? I drew attention to this item some years ago, when the salary of the official was only £200; it is now £350. It seems to me a very extravagant sum, and one, therefore, which calls for explanation. The Superintendent of Contracts for Candles and Oil gets a salary of £250 a year. What does he do for that? I may perhaps be permitted to conclude by asking the right hon. Gentleman for information as to the hours worked by the clerks in the Works Office.

(7.3.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): In the Office of Works the *employés* are engaged for seven hours a day, and they get their refreshments in the office. The Superintendent of Coals, &c., has to take into consideration contracts to the amount of from £28,000 to £30,000 a year. He also has to inspect the quality of the articles received, and to see that we get value for our money. He is a very hard-worked official indeed. He is not so much a superintendent as an adviser of the Board, and his title, therefore, is rather misleading. The other official to whom allusion has been made has his time fully employed, and, no doubt, he has saved the country a large amount of money, both with regard to making contracts and seeing that they are properly carried out. With regard to what the hon. Member has said as to the furniture, I will look into the matter without delay.

*(7.7.) MR. MORTON: I am glad to find that in the right hon. Gentleman's Department there is no Purveyor of Luncheons. I suppose the Department is not quite aristocratic enough for that. I wish, however to call attention to the management of Epping Forest. I find that by the Act of 1878 the name of the First Commissioner of Works is mentioned in connection with the bye-laws, and it no doubt has been inserted in the Act with a view to protecting the rights of the people of London. The bye-laws are to be under his supervision, and are not legal without his consent. Now, one bye-law which is being enforced has not been approved by him.

MR. PLUNKET: I may save the time of the Committee if I tell the hon. Member that I have nothing to do with this matter. Under the Act power is given to the Conservators to make bye-laws, and I admit that they have no force unless allowed by the Ranger on the advice of the Office of Works countersigned by the First Commissioner of Works. But the regulation to which the hon. Member refers is not a bye-law.

*MR. MORTON: I desire to point out that one bye-law now being enforced has not been approved by the First Commissioner, and, that being so, I contend that the right hon. Gentleman should take steps to stop its enforcement and to end the proceedings which have been instituted against a number of poor people. When I put a question on the subject to the right hon. Gentleman he suggested that I should take legal advice. I have done so. I have consulted the highest legal authority—the Attorney General. He says he cannot assist me. Now, I say it is the duty of the First Commissioner to interfere in this matter. It is one of the things for which he gets his salary, and I shall propose a reduction of his salary if he refuses to protect the rights of the people of London against the enforcement of an illegal bye-law.

MR. PLUNKET: It is not a bye-law at all. I cannot get that into the hon. Member's head.

*MR. MORTON: I say it is a most important bye-law that has ever been made. I have here a list of the bye-laws sanctioned by the right hon. Gentleman and his predecessor, and it does not appear among them. Here are bye-laws about donkeys, and so on, but this is a question of common rights, and one which affects about half the voters. I hope small commoners will not continue to be interfered with by the enforcement of an illegal bye-law.

MR. PLUNKET: I rise to a point of order. I have already explained to the hon. Member that my office has nothing to do with this subject. There is no bye-law affecting it.

*MR. MORTON: I wish the right hon. Gentleman to give the Conservators notice that they have no business to enforce this illegal bye-law.

THE CHAIRMAN: Order, order!

*MR. MORTON: The right hon. Gentleman is not only generally courteous, but he is always fair, and I am sure he wishes to do the best he can for the people. I therefore trust he will interfere, and——

THE CHAIRMAN: Order, order!

*MR. MORTON: I will not press the subject further, but there is another matter to which I wish to draw attention. I hope that something will be done to improve the condition of the fountains in Trafalgar Square. The right hon. Gentleman the other day, in answer to a question, said the fountains were cleaned out once in three months. These complaints as to the condition of the water have been raised for years, and it surely is now time that

something was done to do away permanently with what is undoubtedly a nuisance to the neighbourhood. I am told that the water is pumped up from a well in close proximity to old St. Martin's Churchyard, and that, consequently, its purity is very doubtful. I am also informed that it is pumped into a tank and used over and over again for three months until it becomes very much like thick soup. I beg to ask the right hon. Gentleman whether the water could not be obtained as cheaply from the Water Companies, so as to discontinue using water from a well near an old churchyard, and also whether he will give orders for the fountains to be more frequently cleaned out during the summer months than at present?

(7.17.) MR. PLUNKET: It is quite true that the water is supplied to the fountains from a well at the back of the National Gallery. It is excellent water, superior even to that of the companies, though that is good, and it is also supplied to some of the public offices —among them mine, and I myself drink it. It is true that the water from the fountains occasionally goes back, but that is not done so often as to render it unfit for use. Of course, the water at the fountains is not fit for drinking, and that is not the purpose for which it is used. As to the more frequent renewal of the water, and cleaning out the fountains oftener than at present during the summer months, I will look into the matter and see whether the suggestion of the hon. Member cannot be carried out.

MR. NORRIS (Tower Hamlets, Limehouse): With regard to the assistant surveyors of the first and second class I should like to know whether under any circumstances they get anything beyond their salaries. Are they allowed to receive fees?

MR. PLUNKET: No, Sir.

DR. CLARK: I see you have reduced the number of surveyors from 28 to 22, and yet the charge for the 22 is larger than that for the 28 last year. How is that to be explained?

MR. PLUNKET: I have not the particulars here. I will inquire into the matter and let the hon. Member know.

(7.22.) MR. PICKERSGILL: I wish to raise a question as to a certain number of labourers, for the treatment of whom the right hon. Gentleman is responsible. A little while ago I pointed out that the wages paid to certain labourers were lessthan those paid for similar labour by other employers in the same locality, and the right hon. Gentleman then told me that, in instituting a comparison, I ought to take into account the fact that the men had certain pension rights which, presumably, men in other employments did not possess. My object in rising is to point out that the statement with regard to pensions is almost, if not entirely, illusory. I have been supplied with a number of cases which, I think, will substantiate that assertion.

MR. PLUNKET: Will the hon. Member tell me what particular class of labour he is alluding to?

MR. PICKERSGILL: Yes, the labourers in Kew and Hampton Court Gardens. A working foreman named Hollands was discharged after 33 years service and received no pension. Joseph Jacobs, after working in Kew Gardens for 25 years, was discharged as being worn out. This man is now 72 years of age; he has been in the public service for 40 years, having been in the Police Force before being engaged by the Office of Works; and I am informed that he is absolutely starving. Surely a pension ought to have been granted in a case like that. A third man laboured in Kew Gardens for 15 years, and was personally incapacitated by being jammed by some machinery in the gardens. He has received a gratuity of £15, and a sum of £16 odd in respect of his injury. He is totally disabled for work and has nothing to live upon. My next case is that of a labourer who served 18 years, and had one of his eyes knocked out while in the performance of his duty. Yet this man, who is believed to be entitled to a pension for life, has received only a gratuity of £14. Again, there is the case of a woman who worked in Kew Gardens for 25 years. She became blind, was discharged, and is now in a state verging on starvation. My last case is that of a labourer who served for 23 years and then became dumb and paralysed. He, too, was discharged without either pension or gratuity. This man never received more than 10s. per week. Either these persons are entitled to a pension or

they are not. If they are, then there is reason to complain that the right hon. Gentleman has not adequately investigated the circumstances; and if they are not, then there is very little in the argument which the right hon. Gentleman put before the House with a view to showing that the conditions of service under the Board of Works are better than those of outside employment.

MR. PLUNKET: Some of these cases have been mentioned for the first time to-day, and I have not, therefore, had an opportunity of acquainting myself with the details. But in reply to the general argument of the hon. Member, I may say that some of the labourers employed are entitled to pension and others not, and the very fact that some persons in the cases alluded to by the hon. Member have received gratuities, proves that they are not entitled to pension.

(7.30.) MR. PICKERSGILL: I am obliged to the right hon. Gentleman for courteously promising to make enquires into the cases I have mentioned; but I desire to call particular attention to the actual language he used, as reported in *Hansard*. I had called attention to the difference between the rate of wages paid to the labourers employed in Kew Gardens and similar labourers employed in the neighbourhood, and the right hon. Gentleman replied—

"Having regard to the exceptional advantages which labourers in Kew Gardens enjoy in many ways as regards sick pay, attendance of medical officer gratis, pension, and other matters, so far from being illused, or badly paid, they receive wages really above the average given to others in the neighbourhood."

Upon that I wish to ask whether there are any labourers in Kew Gardens who are entitled to pension, and if so, what work do they do, and after how many years' service do they become entitled to pension?

MR. PLUNKET: I think there must have been some slip on the part of the reporter. As far as my recollection serves me—— [The explanation was inaudible in the Gallery.]

MR. PICKERSGILL: I should like to point out that the *Hansard* Report is headed with an asterisk, which is usually understood to indicate that the Member has revised the Report.

MR. PLUNKET: I regret I had not observed that.

MR. PICKERSGILL: I thank the right hon. Gentleman for his promise. Would he desire me to hand him a list of these cases?

MR. PLUNKET: I should be extremely obliged to the hon. Gentleman.

*(7.35.) MR. MORTON: I have to ask the right hon. Gentleman a question relating to a matter of account. The question really arises on all the Votes. We have here shown what are the minimum and maximum salaries in the Department, but I see that in many cases the maximum salaries are exceeded in the shape of "personal allowance." Two chief clerks get £100 more than the maximum. Is there any favouritism in the "personal allowance," or is it a way of getting over the fixed maximum salary?

MR. PLUNKET: I notice that in almost every speech in Supply the hon. Member makes some charge of want of straightforwardness, some want of honesty in the Public Departments. The tone of the hon. Member is such that I am not sure he ought to have any answer at all, but I will explain at once that the maximum is only exceeded when changes are made in the office, and public servants are asked to undertake new work which is not originally a part of their bargain. In such cases it is only fair that additional personal allowance should be given. But in every case in which a personal allowance is given it is carefully scrutinised beforehand by the Treasury. In the case of the two clerks referred to, let me say that formerly there were three principal clerks. Great economy was effected by reducing the number to two. It was felt to be only reasonable to give each of the two an additional allowance.

*MR. MORTON: I never intended to make any charge against anybody, and least of all against the right hon. Gentleman, but I must say it is a shocking system that the maximum salaries are so often exceeded, especially when the clerks are already well paid.

Vote agreed to.

3. Motion made, and Question proposed,

"That a sum, not exceeding £19,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Her Majesty's Foreign and other Secret Services."

*(7.40.) MR. MORTON: I do not propose to move a reduction of this Vote, because I object to the Vote as a whole. We were told the other day that there is £300 now put on the Accounts for the management of a portion of this fund. I wish to know whether any one else in any other Department receives anything for the management of the fund. Surely the charges for management might very properly appear in the Votes for the respective Departments. We are told that a great deal of the money is used in secret service payments on the Continent, that it is used for the purpose of getting information that cannot be obtained in any other way. That means bribing and corrupting public servants in other countries. Not only is it an inducement to those servants to act illegally and immorally, but it is also an inducement to Foreign Governments to do exactly the same thing in regard to the Public Departments in this country. I have never yet heard that information got in this way is at all necessary for this country, or even for the integrity of the British Empire. I cannot understand why a Christian country like this, with an Established Church, Bishops, and all the rest of it, cannot get on without doing what we admit to be wrong—corrupting public servants in other countries—and therefore I shall take a Vote against this Secret Service Fund altogether.

SIR G. CAMPBELL (Kirkcaldy, &c.): It is evident the hon. Member for Peterborough has a great deal more information on this subject than myself. I do not know where he gets his information about the corrupting of public servants abroad, but I presume he has such information; perhaps it would be desirable he should produce it. I am one of those who never have opposed the Secret Service Vote. I think it is necessary there should be a certain amount of Secret Service money at the disposal of the Government. No doubt there is a great deal spent under this Vote which might as well be brought upon the Estimates, because it is not spent in Secret Service in the true sense. There ought to be an assurance given that there will be nothing of this kind in future.

(7.45.) COLONEL NOLAN (Galway, N.): I am not astonished at the remarks of the right hon. Member for Kirkcaldy, but I do not think there is any one on the Government Bench at the present moment who has anything to do with Secret Service. It is only the principal Secretaries of State who can give any assurance on the subject, and none of them are on the Government Bench at the present time. I believe neither the Prime Minister nor the Chancellor of the Exchequer knows anything about the spending of the Secret Service money. There ought to be someone responsible for the whole of the Secret Service money. I believe the Treasury is bound to give an Order whenever requested by a Secretary of State. I do not see how a country can get on without the expenditure of some Secret Service money, but at present there is no satisfactory assurance that the money is properly spent. I think there ought to be a Committee of the House appointed to inquire into the matter.

SIR G. CAMPBELL: My impression is that the Treasury do assume the responsibility.

MR. JACKSON: I should like to throw light on the subject, but I am not able to do so. The Public Accounts Committee, about three years ago, recommended that a declaration should be made by each Secretary of State on the subject, and a form of declaration was agreed to and submitted to the Controller and Auditor General, who accepted it as sufficient.

COLONEL NOLAN: I do not for a moment say that the Secretaries of State are not as fit as anybody else to make the declaration, but still I do not think the system is a very satisfactory one. I should like to know whether the Secretary of the Treasury possesses any knowledge of the items.

MR. JACKSON: No, I do not.

*MR. MORTON: We were told that £300 was given to a gentleman in the Foreign Office for managing that portion of the fund spent by the Foreign Office. Does any other gentleman get money for the management of this fund?

MR. JACKSON: I cannot give any details, because I do not possess any knowledge of them.

SIR G. CAMPBELL: A uniform sum is taken each year. How much of this is spent?

MR. JACKSON: I have a Return for the last three years, from which it appears that there was surrendered to the Exchequer in 1887-88, £20,535 15s. 11d.; in 1888-89, £10,896 15s. 8d.; and in 1889-90, £6,178 12s. Of course in the last year the total sum taken was £35,000, and in the first year I have cited £50,000.

*MR. MORTON: I am sorry we have not been able to get any satisfactory answer from the right hon. Gentleman as to how the money is spent. I take it for granted that what I say as to the money being used in bribing and corrupting public officials in foreign countries is correct, and therefore I shall divide the Committee against the Vote in its entirety.

(7.50.) MR. SEXTON (Belfast, W.): I think the Chief Secretary for Ireland will acknowledge that the time has come when a question may fairly be addressed to him as to the expenditure of secret service money in Ireland. I admit there are times when a Minister is prevented from giving any explicit information as to the use of secret service money; but according to the avowal of the right hon. Gentleman in a recent speech, the present condition of Ireland is such that it is scarcely conceivable it is necessary to apply any secret service money to that country. Last month, by proclamation in the *Dublin Gazette*, the right hon. Gentleman withdrew the operation of the Coercion Act from a considerable part of Ireland. The right hon. Gentleman, in fact, confessed, by his own official act, that there is no longer in Ireland either criminal conspiracy or any resort to violence and intimidation, and an examination of the criminal Returns will show that the offences involved in the sending of threatening letters and other forms of intimidation have almost disappeared. Again, it will be admitted that in Ireland there is no grave crime as it is ordinarily understood, and in such circumstances I think I am entitled to ask whether any of the £35,000 is set apart in the present year for secret service in Ireland, and, if so, what is the amount?

MR. A. J. BALFOUR: It would not be in accordance with usage to give particulars as to the expenditure of the £35,000. I may say, however, that a sum is allocated to Irish purposes, and is placed in the charge of the Irish Secretary, just as the sum allocated to England is placed in the charge of the Home Secretary. Though the condition of Ireland does not call for the expenditure of the money, I do not think it would be right to make any alteration in the amount of money which for many years past has been allocated to Ireland.

MR. SEXTON: I quite admit that, considering the magnitude of the British Empire, the sum is not large; but Ireland is only 1-300th part of the British Empire; and what I should like to know is whether Ireland receives more than her fair share—1-300th part of the whole. It is upon the public declaration of the right hon. Gentleman that Ireland is in a thoroughly satisfactory condition that I put the question. I cannot stand here and assent to the principle that in the present state of Ireland the information I seek should be refused, and, therefore, I beg to move the reduction of the Vote by £5,000.

Motion made, and Question put, "That a sum, not exceeding £14,000, be granted for the said Service."—(*Mr. Sexton.*)

(8.0.) The Committee divided:—Ayes 34; Noes 90.—(Div. List, No. 362.)

Original Question again proposed.

*(8.6.) MR. MORTON: The Chancellor of the Exchequer has now returned to the House, and as he, no doubt, has something to do with the administration of this fund, perhaps I may apply to him for some information as to the purposes for which this money is used. Can the right hon. Gentleman tell us whether any of it is used towards providing those rewards sometimes offered for the capture, dead or alive, of so-called rebels; in short, can he give us any information at all about the fund?

MR. GOSCHEN: This Vote is for the Secret Service Fund, and, that being so, I am afraid I cannot gratify the hon. Member's curiosity.

MR. T. M. HEALY (Longford, N.): May I suggest that £500 of it might be used to pay off the Duke of Fife's debt to the Department of Woods and Forests.

(8.10.) The Committee divided:—Ayes 88; Noes 33.—(Div. List, No. 363.)

Motion made, and Question proposed,

"That a sum, not exceeding £7,706, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Offices."

(8.15.) MR. MARJORIBANKS (Berwickshire) : I rise to move the reduction of the Vote for the salary of the Secretary for Scotland by the sum of £500. In taking this course, I desire at the outset to disavow any intention of making a personal attack upon the Secretary for Scotland or the right hon. and learned Gentleman who so ably acts as the representative of the Scotch Office in this House. I most gladly recognise in Lord Lothian's administration of Scotch affairs that keen sense of nationality we Scotchmen feel so strongly. He is one of the first to repudiate that abominable heresy that Scotland is merely an appendage to England, to be regarded in the light of a county, and that not a very large or important one. With regard to the Scotch Office also, I entirely recognise the endeavour to assert Scottish interests, and I am sure if they had a free hand we should have a much better result in Scotch legislation than this Parliament can show. It is a different matter, however, when I come to consider the way in which Scotch affairs have been treated by her Majesty's Government. By introducing certain measures this Session relating to Scotland her Majesty's Government have admitted that some legislation for that country is necessary, and yet, notwithstanding that fact, they have not persevered with those measures, but having taken them a certain distance have withdrawn them. This I know is an old, a longstanding grievance, but I do not think it ever assumed such proportions as during the present Parliament. Let me recall what has been done for Scotland in recent Sessions. I do not allude to small measures passed *sub silentio*, I refer to really important legislation. In the sessions of 1887 and 1888 we had nothing, and during these two Sessions we were soothed by the promise that 1889 should be a Scotch Session. Well, 1889 came, and what was the Scottish result of the Session? We got a Local Government Bill for Scotland. But that Local Government Bill was not given to us out of any particular desire to give Scotland Local Government, but because in the previous year improved Local Government had been given to England of which the Act of 1889 was the natural complement. It will be said, "But in your Local Government Act you got something England did not get, you managed to squeeze into the measure a provision which practically gave free education to Scotland." Yes, but we owe no thanks for that to Her Majesty's Government. How did they receive the proposal? Why, exactly in the same spirit as was evinced in the speech of the Duke of Argyll in another place yesterday, and no less than 56 Members of the Tory Party voted against Scotland having what she wished for in this matter. I would rather take the description of the manner in which Scotland got free education from the words of the First Lord of the Admiralty. The noble Lord said, speaking two or three weeks ago—

"If there is one part of the community where self-reliance is strongly developed, where a national system of primary education is supreme, and where the general population are in a higher condition of comfort than elsewhere, it is in Scotland. Yet in that country the Members of Parliament on both sides of the House positively extorted from the Government at the point of the bayonet a free education scheme."

Well, I think Scotch Members have very little reason to be grateful for free education thus extorted from the Government. Then we had the Scotch Universities Bill, and I think with the exception of the question of the theological chairs, there was very little difference of opinion on either side of the House upon that Bill. That measure was passed, and we have yet to see the result; we have to see the spirit in which the Government will meet the demands of the Commission. We shall expect them in regard to the rehabilitation of these Universities not to take the money out of the funds belonging to Scotland, but from general taxation. So much for the Scotch Session. The energy of the Government in regard to Scotland then died away, and in 1890 and 1891 we have had nothing. The answer, no doubt, will be very much on the lines of what was said by a Member of the Go-

vernment a few days ago, that after all, the failure of Scotch legislation has been due to the action of the Scotch Gladstonian Members. Here is one of the points of our complaint, that when Scotch measures are introduced they are thrown upon this Table, and we are told to take them as they are, under penalty of their being dropped altogether.

THE CHAIRMAN: I do not quite see that the speech of the right hon. Gentleman is addressed to the Vote before the Committee.

MR. MARJORIBANKS: This is a Vote to meet the expenses of the Scotch Office, and the Scotch Secretary of State is responsible for Scotch business during the last six years, and what I am doing is reviewing the way in which Scotch legislation has been conducted during the present Parliament.

THE CHAIRMAN: It is going beyond the limits of the discussion of a Vote in Supply.

MR. MARJORIBANKS: I will only say that the practice in past Sessions has been for the Government to tell Scotch Members to open their mouths, shut their eyes, and see what would be given them. But that is not the way in which we are prepared to deal with Scotch measures. We shall come to the consideration of these measures with mouths, eyes, and ears open. We have great reason to complain of the action of the Scotch Office, from the establishment of which we hoped such great things. Measures, as I have said, have been introduced, carried a certain distance, and then dropped. What has taken place in reference to the Private Bill Procedure Bill this year? That Bill was no new proposal. In the first place it was brought forward by a private Member, and twice has it been introduced by the Government. It was one of the measures mentioned in the Queen's Speech this year, it passed through the other House, it passed a Second Reading here, and was referred to a Committee and, changed somewhat; it came back to the House, and then, simply because a considerable number of Amendments were put upon the Notice Paper, the Bill was dropped. It was not a very bold course for the Government to take. Having, by the introduction of the Bill, acknowledged there was need for such legislation, they should have proceeded with it, and should have overcome obstacles placed in its way. If the Bill was so important, then the blame is the greater to them for not having passed it. If, on the other hand—as I maintain, was the case—the Bill was one which the Scottish people, as a whole, had no enthusiasm about, and which only created enthusiasm in the minds of a certain section in Edinburgh, who thought they were going to get some benefit out of it, then I say the Government were equally to blame for having introduced it with such provisions as not to secure the general support of the people of Scotland. It is true we think these matters ought to be dealt with in Scotland, but we had a great deal of criticism to offer to that Bill both with respect to the constitution of the Commission, and as to the fact that the cost of Private Bill legislation was not practically cheapened in the matter of fees. Be that as it may the fact that this Bill was dropped in such an extraordinary way is a matter which we have every reason to complain of, and which is another proof of the manner in which Scottish business is conducted. Then there was the very bulky Bill, the Burgh Police Bill, which contained no particularly contentious matter, but which was dropped against the wishes of the Scottish Members. Then there was a whole series of measures connected with fishing matters, in which I take a personal interest. These measures were brought forward and dropped in the same manner. At the very outset of this Parliament, in 1887, the Government brought in in the other House the Salmon Fishery Bill, thereby acknowledging that there was a necessity for dealing with that matter. But no more has been heard of the measure. Then, let us come to the year 1888. In that year a Bill was passed which established Local District Fishery Committees for England. At this moment there are no less then 16 of these Committees established all round the coasts of England. The other day the Local Government Board was overwhelmed with congratulations at the good work these District Fishery Committees have done, and the great advantage they have been to the fishermen. Well, Sir, no similar measure has been passed for Scotland. The necessity of

establishing similar Committees for Scotland has been recognised by the Government, but no measure has been passed. Then, as to the tribunal. Again and again they have admitted that the representative element should be introduced upon the Fishery Board of Scotland; they have introduced a measure containing certain provisions dealing with the matter, they have pushed that measure in a certain distance, and then dropped it. Again, the improvement of mussel fisheries in Scotland is of the greatest importance, as Lord Lothian himself has acknowledged in the clearest and most decided manner. He appointed a Committee of Inquiry on the subject, and in consequence of the Report of that Committee certain provisions—which I maintain were very inadequate—were introduced into a Bill dealing with the mussel fishery question. I would point out how important this is to the fishery interests of Scotland, and how important it is that the Scotch Members should insist upon the question being dealt with without delay. There are some 50,000 fishermen, and for six months in the year they fish with lines, using mussels for bait. In the single fishing village of Eyemouth, in 1885-6-7, the total amount of fish caught amounted to 4,665 tons, and in order to catch this fish 4,022 tons of mussel bait was used, or only 600 tons less mussels than fish caught. The total value of the fish caught was £58,940, and the value of the mussels was £7,664, an amount equal to one-eighth of the value of the fish. That shows how important this question is to the Scotch fishermen. The supply of mussels has decreased in an extraordinary way in recent years, and it is very necessary that steps should be taken to increase it. The Government have been very lax in connection with this question; they have instituted an inquiry, but they have not legislated. In spite of the inquiry and the Bills I have mentioned, we are going back again this Autumn without one thing being done for the benefit of the fishermen. Take the case of the Scottish Fishery Board. So far back as 1889 the Board recommended that an increase should be made in the salaries of their officers, from whom so much more head work and labour has been required during the past few years. I was told in that year that the matter was being favourably considered, and that the only reason it was not dealt with then, was because it was too late to include any increase in the Estimate for the year. During the following years—1890 and 1891—I have had similar answers. I have been assured of the value which the Government attach to this proposition, and yet year after year has passed without one thing being done to meet, what I consider, and what I think the Government consider, a most just demand on the part of these men. Now, I should like to ask what are the reasons for this laxity in the conduct of Scottish business, and what is the remedy for it? I know that some of my hon. Friends will say the reason is that we have not got a legislative assembly of our own in Scotland, and that the remedy is to establish such a body in Scotland. [Dr. CLARK: Hear, hear!] Well, I do not go quite so far as some of my hon. Friends in this matter, but I will say this, that the way the Government, under present conditions, have dealt with Scottish business is the very way to bring about the establishment of such an assembly as I have spoken of. I myself—and I daresay many of my hon. Friends agree with me—am of opinion that desirable as such a change may be, it has hardly yet come within the limits of practical policy, and that it would be more profitable to suggest to the Government some means of dealing with the matter in a manner which they, perhaps, would be inclined to accept. One of the main reasons why the Scottish Office has not been so great a success as we expected, is because the gentlemen who have been connected with the Office have not had a chance, and have been kept out of the inner circle of the Government, where we ought to find them. At this moment what is the fact? There is a large Cabinet of 15 or 16 Members, and not a single Scottish Member in it.

THE CHAIRMAN: Order, order! That cannot be gone into on this Vote. It is not the fault of the Scottish Seeretary that he is not a Cabinet Minister. This is not a part of the administration of the Scottish Office. The right hon. Gentleman has exceeded in all directions the limits permissible on such a Vote.

MR. MARJORIBANKS: Then, I will only observe this, that what we ought to do is to increase the importance of the

Scottish Office in every possible way. To it should be entrusted many of those subjects which were kept out of it when the Office was instituted. The Minister who has charge of the Office should have a seat in this House, and be as important a Member of the Government as it is possible to make him. Nothing short of this will satisfy the Scottish Members, and as a protest against the treatment that not only Scottish business receives, but that the Scottish Office has received at the hands of English Ministers and English Conservatives, I beg to move the reduction of the Vote by the sum of £500.

Motion made, and Question proposed, "That item A, Salaries, be reduced by £500, part of the Salary of the Secretary for Scotland."—(*Mr. Marjoribanks*). (8.48.)

(9.12.) MR. M. J. STEWART (Kirkcudbright): I will not attempt to follow my right hon. Friend in the very discursive speech to which we have just listened, because I think that were I to adopt his mode of dealing with this subject, I should be setting a bad example to hon. Members on this side of the House. Indeed, I am surprised that the right hon. Gentleman should have chosen to lead his Party into so wide and difficult a field, while at the same time he refrained from dealing with the point he ventured to put before the House, namely, the reduction of the salary of the Secretary for Scotland. The right hon. Gentleman has referred to many Acts of Parliament that have been passed, and has also instanced many important measures which have not become law, a fact which he has invariably put down to the fault of the Government; but the Committee will recollect that oftentimes, even when there has been a burning feeling in the country that certain measures ought to become law, that feeling has gradually died away as the measures themselves have become better known and understood. My right hon. Friend adduced the measure as to Private Bill Legislation as an evidence of the great neglect of Scottish opinion on the part of Her Majesty's Government, because they did not push that measure forward in this House as he considered they ought to have done. But the right hon. Gentleman and his Party declared they would have none of the Bill, and this being so, I put it to the Committee, are the Government to be blamed for not keeping the House sitting some three or four weeks longer in order that that measure might be passed into law? I think it will be generally felt that the Government were justified in dropping that measure because they had reason to believe hon. Members would not be inclined to wait some weeks longer to pass a Bill of which many of them did not approve. It must be remembered that many measures become law, which though not strictly Scotch, nevertheless deeply affect the welfare of Scotland, and any measure seriously believed to be really wanted or desired by the Scotch people, always receives the attention of Parliament, and is passed into law. The fact is that the Scotch get what they want, and by a process best known to the Scotch Members the questions involved are in the first instance quietly talked over outside this Chamber, and in the main the agreement of both sides is secured. But why should this Committee be asked to reduce the salary of the Secretary for Scotland? Lord Lothian, who is at the head of the Scottish Executive, is accessible to all, and although I do not stand here as his panegyrist, I think it will not be disputed that he gives a great deal of attention and devotes much of his time to Scotch affairs. The business of his office is always conducted in a business-like manner, and to the general satisfaction of the Scottish people. I would further say as to the other occupants of office in Dover House, that the staff of officials is in every way well qualified for the duties discharged. On one point I am at one with my right hon. Friend. I should be glad to see Lord Lothian a Member of the Cabinet. He could then exercise more weight in the administration, and bring Scotch affairs more directly under the notice of his Colleagues. There is one other subject I should like to touch upon for a moment, and as to which I should like to obtain the assurance of the Lord Advocate that something will be definitely decided—as to the white fisheries and the salmon interests in the Solway. Difficulties have arisen as to the modes of fishing carried on there, and a promise has been given that this subject shall receive the best consideration of the authorities. I should be glad if I could now obtain a definite

promise that a Commission shall be appointed without delay in order that no further vexatious proceedings need be taken, that the fishing rights shall be defined, and that each man shall know where and how he can fish. I will only repeat that my opinion is that when the voice of Scotland is clearly expressed as to the necessity of certain legislation, that legislation, in spite of the 50 Tories who have been said by my right hon. Friend to be against free education, will be carried out as long as there are 10 or 12 Tories sitting on this side of the House.

(9.25.) MR. R. T. REID (Dumfries, &c.): There is one topic on which I should like to say a word, and that is the subject of the Solway fisheries. The hon. Member opposite and I were both present at a great meeting held at Dumfries, at which a unanimous opinion was expressed by persons of all views on other matters that a Commission should be appointed with reference to a specific case, in which it was alleged that great injustice had been done—I allude to the Town Fort case, and I hope the Lord Advocate may see his way to the appointment of a Commission to inquire into that matter; although the experience of Commissions in recent years in connection with the Solway has been that they have resulted in aggrandising the rights of the owners and diminishing those of the fishermen. With regard to the general question of the administration of Scotch affairs, I contend that we are placed in a position of great injustice as regards the introduction and pressing forward in this House of Bills promoted in the interests of Scotland. I wish to endorse what the hon. Member said as to how we suffer by reason of the Secretary for Scotland not being a Member of the Cabinet. It is perfectly obvious that the lack of representation in the Cabinet renders more or less fruitless the strenuous exertions which no doubt are used by the Lord Advocate in putting forward Scotch reforms. It is impossible to doubt that those Members of the Cabinet who are more particularly identified with English interests push aside claims put forward by a subordinate on behalf of Scotland. Indeed, according to the arrangement of the business of this House, there is not sufficient time to enable adequate attention to be paid to the legislative needs of our country. My right hon. Friend the Member for Berwickshire has cited numerous instances to prove that. We have had this very year the question of Scotch Private Bill procedure, but it has had to be shelved for want of time. The Member for the Stewartry of Kirkcudbright says it is not worth while for this House to sit two or three weeks longer for the purpose of passing that Bill. I think it might have been passed in two or three nights, but even that short period of time could not be spared for this important Bill, although it is almost the only one relating to Scotland brought forward this year.

THE CHAIRMAN: Order, order! The hon. Member must see that that is not relevant to the Vote.

MR. R. T. REID: I am endeavouring to comply with the rules of the House in this matter, but obviously it is difficult to discuss the duties of the Secretary for Scotland and the way in which they are discharged without referring to these legislative matters. The fact is that the failure to transact Scotch business in this House is causing a real and a growing dissatisfaction among Scotch Members. If we cannot get our business done in this House we must get it done elsewhere. We cannot approve of this constant introduction and postponement of Bills relating to Scotland, and the constant, though probably involuntary, omission of the Government to provide for matters which are admitted on all sides to require the attention of Parliament.

*(9.35.) MR. SHIRESS WILL (Montrose, &c.): I desire to say a few words with regard to an important matter which is within the jurisdiction of the Department of the Secretary for Scotland, and that is the subject of mussel and bait fisheries, which are so important for the line fishermen of Scotland. Two or three years ago the Secretary for Scotland took action in this matter. He appointed a Committee, which was presided over by the Member for Berwickshire. That Committee went over the whole of Scotland; it visited places at which fishermen could conveniently attend and state their grievances in respect of the scarcity and dearness of bait; it examined over 100 witnesses; and it reported how easy it would be to establish mussel beds on various parts of the Coast

of Scotland. The Committee also drew attention to the mismanagement of existing beds, showed how they might be protected in the interests of the fishermen themselves; they stated that some of these beds were claimed by people who had not a shadow of title to them, and advised that legislative steps should be taken to deal with those claims. The Committee made a variety of recommendations, but what has been the result? What action has been taken upon the Report? This is a vital matter for line fishermen, although to the Government it may appear to be one of small importance. My right hon. Friend to-day gave some instances of the disproportionate cost of bait to the value of the fish. Last year he and other private Members brought in a Bill based on the recommendations of the Committee, but through the influence of the Government and of the Department of which the Secretary for Scotland is at the head, it was blocked. The Government themselves introduced a Bill only to withdraw it again, and the same thing has occurred this year. I trust that some explanation will be given of the neglect of the Government to prosecute this important matter.

*(9.38.) MR. H. T. ANSTRUTHER (St. Andrews, &c.): I should like, if it be in order, to comment on the remarks of the right hon. Gentleman the Member for Berwickshire relative to the treatment of Scotch matters by the Government this Session. The two grounds upon which the right hon. Gentleman claimed to be justified in moving the reduction of the salary of the Secretary for Scotland were the failure to proceed with the Private Bill Procedure (Scotland) Bill, and the action of the Government in connection with the Fishery Board Bill. But I am bound to say I do not think it lies in the mouth of my right hon. Friend to complain that the Fishery Board Bill was not proceeded with, for, if I recollect right, the failure to proceed with it was due mainly, if not entirely, to his instrumentality. With regard to the Private Bill Procedure question, it is only fair to state that that Bill was dealt with by the Government in the Select Committee in a most conciliatory spirit, but when it came back to this House in its amended form, so large a number and variety of Amendments were set down on the Paper that the Government felt compelled not to proceed any further with it this Session. I heard the announcement of that decision with great disappointment, but I must confess that the blame for throwing up the Bill lies at the door, not of the Government, but of hon. Members on this side of the House, who by their action made it practically impossible to proceed with it.

(9.41.) MR. ANGUS SUTHERLAND (Sutherland): I can perfectly understand the satisfaction of the hon. Member for the Stewartry of Kirkcudbright, for although he and his friends are in a minority as far as Scotland is concerned, they are, as supporters of the Government, in a position to have their wishes carried out, even if they are adverse to the views of the Members for Scotland on this side of the House. The hon. Member in his speech introduced the personality of Lord Lothian, and made a great deal of that. I have nothing whatever to complain of with regard to the intercourse I have had with Lord Lothian. But this is not a question of giving Lord Lothian his due. It is a far wider question we have to deal with. We have to look at the policy of the Government with regard to the administration of the affairs of Scotland. As to what has fallen from the hon. Gentleman the Member for St. Andrews, in laying the blame on the right hon. Gentleman the Member for Berwickshire for the failure of the Government to pass the Fishery Boards Bill, I must say I think the suggestion is neither fair nor generous. There is no man in this House who has greater knowledge of, or is better qualified to give an opinion on matters relating to fishing; and to suggest that a Bill framed by the Government is not to have Amendments proposed or to meet with any opposition is, to say, the least, unreasonable. I know from experience in my own constituency that there is a great desire among the fishermen to have a Bill passed, which if it does not entirely supersede the Fishery Board, will materially re-construct it. The right hon. Member for Berwickshire held that the measure of the Government did not go sufficiently far, and himself introduced a Bill, but the Government refused him an opportunity of

discussing it. Yet Ministers, who had the whole control of the time of the House, never put their own Bill down at an hour at which we could express an opinion upon it. I repeat I think the position taken up by the hon. Member for St. Andrews is not a generous one, neither is it reasonable to suggest that there ought to be on our part no supervision and no discussion of Government measures in which our constituents are deeply interested.

*(9.45.) DR. CAMERON (Glasgow, College): I rise to point out to the very few English Members who are present that they must not run away with the idea that the grievances of Scotland are confined to salmon and mussels. There are a number of other burning questions that Scotland desires to have dealt with. I confess I should deem it to be a rather strong step to take to move a reduction of the Vote merely on the ground that the Private Bill Procedure measure had not been pushed forward, for, as to that Bill, I do not think the Lord Advocate himself is satisfied with Amendments which have been imported into it by his own friends, and those who have promoted it in Scotland have denounced it unsparingly on account of the changes that have been made in it. It is complained that the quorum which has been fixed on for the newly-constituted Board has been made so large as to render the Board practically useless, while objection is also taken to the exemption of certain classes of measures from the operation of the Bill. Both these changes were introduced on the initiative of supporters of the Government. The ground on which I shall support the Motion for the reduction of the salary is that the Secretary for Scotland does not carry out the functions for which the office was constituted. Whether the Secretary of Scotland is a Member of the Cabinet or not, it appears to me to be infinitely more important that he should be a Member of the House of Commons. Before the office was created the feeling was that Scotch business was administered too exclusively by the Parliament House clique, as it is called. It was felt that the administration by the Lord Advocate and the Solicitor General for Scotland was what the administration of England would be if it were in the hands of the Attorney General and the Solicitor General. What Scotland wants in a Secretary is the analogy of the Home Secretary or the Chief Secretary for Ireland in the House of Commons. Both those Ministers are directly responsible to Parliament for the work of their respective Departments, but in the case of the Scotch Office everything has to be referred to the Secretary for Scotland, who, being in the other House, is not accessible to Scotch Members in the sense that he would be across the floor of the House. I do not mean to dispute what was said by other speakers as to his accessibility to the representations of Scotch constituencies, but accessibility in an office is very different from accessibility across the floor of the House. Another drawback of the present constitution of the office is that it has not concentrated in its hands all the powers it should have. It shares with the Home Office certain functions connected with the Government of Scotland. The Factory Acts are administered in Scotland, as in England, from the Home Office. That may be to a certain extent necessary, although I do not see why, when the Scotch Office is allowed to administer the Alkali and similar Acts, the Factory Acts in Scotland should not be administered in the same fashion. And, again, when we come to purely local institutions, such as industrial schools, the Secretary for Scotland has no jurisdiction; and, further, the Office of Woods and Forests and the First Commissioner of Works have jurisdiction in Scotland. I contend that if we are to have an efficient Scotch Office it should have all the threads of all this business in its own hands. The real source of discontent are, first, that the Minister for Scotland is not in the House of Commons; and, secondly, that he has not in his hands the various ramifications of Scotch business. There is no such reason for this division of functions as there is in the case of the Post Office. I can see no reason for the severance of any of these matters I have mentioned from the Scotch Office; it appears to me to have been an accidental omission; and that these matters were forgotten by the Ministers who drafted the Bill for the creation of the Scotch Office. I do not think the censures passed upon the Department for not pushing forward the Burghs, Health,

and Police Bill were justified. That Bill, with its many hundred clauses, was offered to us as an unopposed measure to be allowed to go through after midnight; but that would have been a dangerous course in the case of a Bill bristling with penalties. Among the subjects on which legislation is demanded are the incidence of local taxation, the completion of the system of free education, temperance legislation, and the reform of Parochial Boards.

THE CHAIRMAN: Order, order! The hon. Member is following what I think to be the very pernicious lead of the right hon. Gentleman the Member for Berwickshire. These matters are altogether beside the Vote.

*DR. CAMERON: I only wished to protest against hon. Members imagining that the mussel and salmon fishery questions were the only ones interesting to the people of Scotland. I shall, on the grounds I have stated, vote for the reduction of the salary, and I hope the right hon. Gentleman will press his Motion to a Division.

(9.58.) MR. A. ELLIOT (Roxburgh): Though the Motion is in form one for the reduction of his salary, I should think the Secretary for Scotland will not be dissatisfied with the Debate which has taken place, or with the suggestion that his Department has not sufficiently strong powers. My right hon. Friend the Member for Berwickshire complained that Lord Lothian was not a Member of the Cabinet, and was therefore not able to give effect to his views, while the Member for the College Division of Glasgow seemed to think the Secretary for Scotland should not be a peer, and should have a seat in the House of Commons, so as to have a stronger control over Bills affecting Scotland. These criticisms appear to me to be to some extent antagonistic. If the Secretary for Scotland is to be necessarily in the House of Commons, and also in the Cabinet, the present Government will be restricted in its choice to some half-dozen Members. Such a position of affairs would be absurd. The Government have not only introduced the Scotch Universities Bill, but they have passed it. The right hon. Gentleman below me said that the conduct of the Government with regard to the Private Bill Procedure (Scotland) Bill was weak, but I hold that the Government were justified in refusing to listen to the unpractical and impossible proprosals which were put forward with regard to that measure by the right hon. Gentleman below me. It has been asserted by the right hon. Gentleman that Scotch business has been greatly neglected, and that the interests of Scotland have been disregarded. The right hon. Gentleman is not only a Scotchman, but a Scotch Member, but I am afraid he has other qualifications which almost destroy these admirable qualifications: he speaks as an ex-Liberal Whip. He has contrasted the way in which Scotch business has been neglected with the manner in which it has been treated on previous occasions. He went through one measure after another, and I do not think the remark of my hon. Friend the Member for St. Andrews was altogether inappropriate. The right hon. Gentleman asks why the Scottish Fisheries Bill was dropped. I think he himself ought to assume the responsibility for the rejection of the Second Reading of that measure. Perhaps Scotch business has been neglected; but the point is, whether there has been neglect as compared with the interests of England and Scotland—whether the neglect has been comparative as compared with other portions of the Kingdom? It has been pointed out that the one or two important Bills affecting Scotland have come to nothing. Have no Bills introduced for England come to nothing? What is the use of pressing forward the failure of occasional Scottish legislation unless you press forward some of the failures in reference to other portions of the Kingdom? We ought never to forget that Scotland shares in the general legislation like England. My right hon. Friend has not produced any evidence in support of his contention that the Government have neglected Scottish business. The case of my right hon. Friend has entirely broken down. The present Government have passed a Universities Bill for Scotland; and with regard to the Private Bill Procedure Bill this Session, the measure was changed in Committee in order to meet what I consider the astounding views of my right hon. Friend. The Bill was changed until its own parents would hardly have known it. I do not so much blame the Government for ultimately dropping the

Bill as for having listened to the impracticable and impossible views of my right hon. Friend. A more gross misrepresentation of what took place with reference to the Private Bill legislation cannot be imagined. Again, take the case of free education. In Scotland we have had free education for a year and a half, but they have not got it yet in England. How can my right hon. Friend get up and say that Scotland is neglected when, in the greatest domestic legislation of the last few years, Scotland is a year and a half ahead of England and Ireland? With regard to the question of temperance, we have had Sunday closing in Scotland for 30 years or more.

THE CHAIRMAN: The hon. Member is travelling beyond the Vote.

MR. A. ELLIOT: I bow at once to your decision, Sir, and will go back to the main question, the administration of the Scotch Department. I maintain that when the Scotch Department put forward their Bills, they do fairly invite the consideration of all parts of the House, and their action during the present Session shows that in a very marked degree. The Scottish legislation is not brought forward as Scotchmen would like to see it. I say that comparatively Scotland stands well up to the mark arrived at by England and Ireland. My right hon. Friend has entirely failed to prove his strong indictment; and when the Scottish people have time to look into the matter, they will see they have got more beneficial legislation in domestic matters from the present Government than they have got from any Government during the last 10 years.

(10.10.) MR. MUNRO FERGUSON (Leith, &c.): My hon. Friend the Member for Roxburghshire has based his argument to a considerable extent upon comparative estimates between Scotland and other parts of the Kingdom. He seems to think that as long as he can prove Scotland to be 18 months ahead of England in legislative matters a good case is thereby made out for the Government. In the first place, the standards of comparison can hardly be taken as apposite. What is required for Scotland may not be required for England, and *vice versâ*. The speech of my hon. Friend shows that he has no proper conception of public feeling in Scotland upon many vital questions which affect the country. Whether the Scotch Office has shown weakness from within, or from causes operating upon it from without, there can be no doubt that the work it has been able to accomplish has not been received very well in Scotland. I do not attach much importance to the fact that the Scotch Secretary is not in the Cabinet. I think far more depends upon how the business is done within the Department, and what my right hon. Friend wants is that the Scotch Department should have control of all the threads of Scotch business, and that it should set to work to carry out the wishes and objects of Scotland. It has been pointed out that we have waited a long time for several measures. There is the Scotch Fisheries Bill, and my constituents are strongly in favour of the Burgh Police and Health Bill. Then there is the question of the extension of Local Government in counties.

THE CHAIRMAN: I have pointed out several times that this is going beyond the limits of the Vote.

MR. MUNRO FERGUSON: The administration of the Scottish Office, Mr. Courtney, has not, in the opinion of the constituencies of Scotland, overtaken the work that is expected of it by the country, and I hope that before long we shall be able to secure such reforms as will make it an effective instrument of Scottish public opinion.

(10.15.) MR. DUFF (Banffshire): I must take exception to the views expressed by my hon. Friend the Member for Roxburghshire as to what has taken place with regard to the Private Bill Procedure Bill. The concessions to which he referred were made to the Committee.

MR. A. ELLIOT: The concession I object to was made in this House by the leader of the House in deference to the wishes of the right hon. Gentleman the Member for Berwickshire.

MR. DUFF: The Bill was discussed by an impartial Committee, and I believe the reason why the Bill was dropped was that the Government did not approve of the Amendments adopted by that Committee. I have been a Member of the House many years, and I never remember before a Chairman of a Committee getting up and saying the Government would not accept the Amendments of the Committee. There is a great need for a Private Bill Procedure Bill, but the people do not want such a Bill as the

Government proposed. With regard to the Fisheries Bill, it is true that the Government introduced a Bill re-constituting the Scotch Fishery Board; but my right hon. Friend the Member for Berwickshire had introduced a Bill on the same subject, and he made a fair offer that both Bills should be referred to a Select Committee. If that had been done, I think the Bill might have become law. There is one question on which I put a question to the Lord Advocate earlier in the day. It has reference to suggested alterations in the tenure of fishermen's houses in Scotland. A number of fishermen build houses on other people's land. They have no right to do it; but it is the custom, and they go on doing it. A case occurred in my own constituency the other day. A fisherman died, and the widow took possession of the house, and paid the Feu Duty of 16s. a year. She had a son, who insisted on living in the house. She brought an action to have him turned out; and when she went to the Sheriff Court, it was decided that she could not take any steps, because she had no legal title to her own house. Sheriff Guthrie Smith, reviewing the decision, made use of very strong language in regard to such cases, and went into minute details as to how the grievance could be remedied. In these circumstances, as the Sheriff has shown how it can be done, I really think the Government should deal with the matter, even although the Lord Advocate has said that there is nothing requiring legislative interference. The present tenure is perfectly discreditable to any civilised country.

(10.20.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My official duty and the Chairman's ruling constrain me to confine my observations within a much more limited scope than was aspired to, and no doubt filled, by the Member for Berwickshire. I believe, however, I may make one general remark with universal assent. I have not heard one word of adverse criticism of the administration of my noble Friend in his office of Secretary for Scotland—and it is remarkable that only one administrative question has been raised in this Debate, and that not a criticism of the past, but having relation to the future, namely, the suggested inquiry into the state of fishing matters on the Solway. On that subject two views have been presented—one by my hon. Friend the Member for the Stewartry, suggesting a general inquiry; the other by the Member for the Dumfries Burghs, who suggested that the inquiry should be more limited. I have no doubt my noble Friend, who has the subject now under his anxious attention, will give due consideration to the observations from both these quarters. The Member for Berwickshire has given expression to many opinions which will, no doubt, be largely appreciated at Eyemouth; but it is my duty to confine myself to the subject in hand, and that is whether the Secretary for Scotland's salary shall be abated by £500? On that I am happy to collect, from all the speeches that have been made, nothing but a chorus of praise of the official performance of his duties by my noble Friend, and only an extreme anxiety that the powers he has displayed should be extended to other Departments of administration. That occurs to me to be not a reason for diminishing, but rather for increasing, the Secretary for Scotland's salary. As to the legislation of the Session, the Member for Berwickshire ought to have mentioned that he declared with regard to the Government measure dealing with the fisheries that unless they agreed to send his Bill to the same Select Committee the Government Bill would meet with his inexorable opposition from day to day; and note should be taken of the fact that I indicated on behalf of the Government that in these circumstances there would be no chance of debate; and that if the Government assented to his imperious and exacting requirements, the Government Bill would have no chance of success. The Government have been accused of being lukewarm with regard to the Burgh Police Bill. The hon. Member for Glasgow (Dr. Cameron) has addressed some sort of admonition to the Government as to the wide scope of the requirements of the country in the direction of legislation, but he has given one specific piece of information which I am certain those interested in Scotland will take special note of. The Burgh Police Bill was not received in the House with that exuberant welcome from Scotch Members we were led to expect, and the hon. Member for the College Division of Glasgow warned us that it could not be touched with any

hope of success, for he would account for sufficient opposition to prevent its passing.

*DR. CAMERON: I said there was no prospect of it being passed *sub silentio* —that it absolutely required a reasonable amount of discussion.

MR. J. P. B. ROBERTSON: A Bill which had been thoroughly discussed in Committee of both Houses! The responsibility for the failure of this Bill does not lie with my noble Friend.

MR. R. T. REID: The Bill did not apply to Glasgow.

MR. J. P. B. ROBERTSON: No; it was a purely general and philosophic interest shown in the measure in its application to small burghs. I will not dwell upon the achievements of the right hon. Gentleman himself, as to which he has been too reticent. I pass on to refer to the Private Bill Procedure Bill. That Bill has not been proceeded with, and the right hon. Gentleman was most anxious to say—and it is a point worthy of note—that the fault of the Government has been that they have proposed such good things that it is unpardonable that they have not been pressed. The right hon. Gentleman, I presume, represents the opinion of his next neighbours on the Bench opposite, when he says we ought to have brushed aside all those Amendments which appeared in clouds upon the Paper; but I ask any shrewd practical observer whether the Government could be expected to proceed with the measure in the condition in which it stood when it emerged from the Committee stage? I hope, Sir, I have not deserved your censure—at all events, I have been fortunate enough so far to escape it—in these observations upon subjects somewhat difficult to avoid, after they have been so freely handled in various parts of the House. There remains for me only to say a word in reference to points raised in reference to fishery matters. I am afraid I should be out of order were I to enter into matters to which the right hon. Gentleman has referred, and which are not pertinent to this Vote. The hon. Member for Banff considers he has a fair case to question the action of my noble Friend, because of the result of some lawsuit between the widow and son of a fisherman in relation to the tenure of a house on the north-east coast. I have given the hon. Gentleman a painstaking answer to his question on the subject, which I was the better able to do as he gave me full notice, and I was able to inform myself of the circumstances. I gave, I think, an adequate answer, and I do not find in the circumstances of this domestic dispute a strong case in support of coercive legislation. I am not out of sympathy with the general subject and the wish that every fisherman had a title to his house, which the hon. Gentleman opposite has copiously expressed; but I can only say, as I said at question time, when we look at the circumstances of this individual case, and also to the fact that on the estate in question, which is known to be well administered, any fisherman can get a title to his house if he chooses to ask for it, I do not think that that is a hopeful starting point for an agitation on the subject.

MR. DUFF: I called attention to the words used by the Sheriff in giving his decision. It is not what I think or what I would like to have.

MR. J. P. B. ROBERTSON: It is not permissible to criticise the judgment of the Sheriff in free terms; but if the hon. Gentleman will turn to my answer, he will see that in condensed and careful language I gave an indication of the line I should be inclined to take on the subject. I leave this point, for it only arises incidentally; but it is a case in which I think the general good sense of the parties and liberality on the part of the proprietor will afford a remedy without legislative interference. I trust that there is no necessity for a long discussion now. I think that the Debate we have had has given evidence that there is no ground which would warrant the right hon. Gentleman in going to a Division on this question, since he has himself furnished most adequate arguments against the proposal, which, merely, no doubt, for the sake of form, he has placed upon the Paper.

(10.37.) MR. MARJORIBANKS: I quite recognise the spirit in which the right hon. Gentleman has answered my criticisms on the administration of the Scotch Office, and the representation of the Scotch Office in Parliament. The right hon. Gentleman is quite right in saying I do not find fault with the intentions of Lord Lothian in regard to Scotch business. But intention is not performance, and for reasons I have referred to the Secretary for Scotland has not been able to carry his good intentions

into effect. It seems to me we pay for the performance not for the intention, and if the performance does not come up to the level of the intention we are justified in moving a reduction of the Vote. Our contention is that the Minister for Scotland should be directly responsible to Parliament, and that unless he is responsible to Parliament and the elected Representatives of Scotland it is of very little use having a Scotch Minister. There have been various references to the Fishery Bills introduced, and I do say it is a most audacious statement to say that I am responsible for the non-passing of the Government Fishery Boards Bill. I should like to recall to the Committee how matters stand in regard to the Bill. I introduced a Bill for the third time, and the Government introduced a Bill, presenting in many points a great similarity to mine, and I have always said in regard to that Bill that I had no intention or desire to meet that Bill with any improper opposition or more than fair criticism. All I said was, that if the Government took this particular Bill and said it should pass its Second Reading without discussion after 12 o'clock, then they should extend the same treatment to my Bill, which in many respects was preferable to the Government Bill. My Bill had the recommendation of the Commission, which was kept well in order by the representatives of the Scotch Office, and my proposals could not be very alarming if they passed those lynx-eyed officials. I said, and I say still, that I should not object if both Bills were brought forward before 12 o'clock, when they could be discussed. My hon. Friend the Member for the College Division (Dr. Cameron) has complained that I have only paid attention to Scotch fishery matters, but, as a matter of fact, I did bring forward several instances of failure to deal with Scotch matters, though I own I did not give an exhaustive account of all the points upon which we felt grievance. Then my hon. Friend the Member for Roxburgh (Mr. A. Elliot) has found fault with me because I did not give a long comparative statement of what has been done in legislation for Scotland and England during the last four or five years, but I think if I had attempted that I should justly have incurred your censure, Sir. Then, in regard to what has been said as to the limitation of choice in finding a Minister for Scotland from among Members of this House, I may observe that the appointment need not be limited to Representatives of Scotch constituencies; for instance, the present Chief Secretary for Ireland filled the office of Secretary for Scotland, sitting for an English constituency. I intend to press my Motion to a Division, and I claim for it the support of all Scotch Members. This is not the final stage of Supply, and it is the only mode the Rules of the House permit me to adopt to elicit an expression of opinion. I can only move a reduction of the Vote, and should I be fortunate enough to carry it, my own voice would be among the first to cry "Aye" to a proposal to replace the £500 on the Report stage.

(10.44.) SIR G. CAMPBELL: I shall support the Motion of the right hon. Gentleman, but upon limited grounds: first, that the Secretary for Scotland has not a seat in this House; and, secondly, that he has not enough to do. The arguments in favour of the Secretary having a seat here, and showing that it is impossible that he can properly discharge the functions of his office unless he has a closer contact with Scotch Representatives, are so convincing that I need not repeat them, and, on the other ground, I have on previous occasions expressed my view that we should give the Scotch Office more work to do by the amalgamation with it of the Board of Supervision, creating a Department similar to the Home Office for England. I wish to support the appeal of the hon. Member for Banff in reference to the tenure of fishermen's houses on the north-east coast, and I must express my great disappointment that the Lord Advocate has held out no hopes of legislation in that matter. The situation is precisely similar to that in Ireland before the legislation of 1881. These evils have grown out of the custom of the country. You have found a remedy for them in other parts of Scotland, but you have left this deserving class of fishermen on the north-east coast without a remedy. The Lord Advocate says we must trust to the liberality of the proprietor, and that he has offered leases; but just as this was not found a satisfactory solution of the difficulty in Ireland so it will not be in Scotland. All depends upon the terms the landlord

offers, and there is no security that justice will be done. As to the Private Bill Procedure Bill I always thought it was a bad Bill, a lawyer's Bill, a speculator's Bill, and I am glad it has been dropped, and I hope in another Session we shall have a more thorough Bill in the nature of delegation, entrusting to local bodies a good deal of the business this House is called upon to transact. I do not regret the loss of the Bill, and I hope to see it re-introduced in an amended form.

*(10.48.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I labour under the disadvantage of not having heard the speech of my right hon. Friend (Mr. Marjoribanks) or the earlier part of the Debate, but I have gathered from inquiry that the principal feature in what has taken place is that you, Sir, no doubt rightly and properly, called to order every speaker who began to touch upon those questions which are really of most importance in regard to the subject with which we are dealing. One of the most important points, in my opinion, raised in this question is the position of the Secretary for Scotland himself. I desire to join in all that has been said in approval of the general administration of Lord Lothian, and in admiration of the character and abilities of Lord Lothian himself. I also think that no one could be long in this House without coming to the conclusion that it would be impossible to find any one more competent to represent any Department in this House than the Lord Advocate. At the same time, what we complain of—and every year makes the complaint stronger—is that the Secretary for Scotland, who is mainly responsible for the administration of Scotch affairs, is not in this House, and is not, therefore, in close relation with Scotch Members, and not closely amenable to Scotch opinion. That is no fault of Lord Lothian or of the Lord Advocate, but it is a fact that becomes plainer every year. I will not touch on the more theoretical question whether the Secretary for Scotland should have a seat in the Cabinet. I have an opinion of my own on the subject that no rule should be laid down as to whether one office more than another should carry with it a seat in the Cabinet, but I have not the slightest doubt whatever that it is essential for the proper administration of Scotch affairs under the modern system that the principal Minister for Scotland should be in the House of Commons. What is it we have to complain of? We do not complain, at least not in any large sense, of the administration of Scotch affairs, but we do complain that Scotch legislation has been scanty in quantity, and not in accordance with the predominant wishes and feelings of the Scotch people as represented in this House. To give concrete instances I may mention the Burgh Police Bill and the Private Procedure Bill. As to the Burgh Police Bill——

THE CHAIRMAN: The question before the Committee is the administration of the Scotch Office. No doubt this can be brought into connection with particular Bills introduced this Session, but to go back upon the Burgh Police Bill would be altogether outside this Vote.

*MR. CAMPBELL-BANNERMAN: What we complain of is the absence of the Burgh Police Bill, but I presume I may not refer to it even in that negative sense. Well, I regret it was not introduced, and will not further refer to it. As to the Private Bill Procedure Bill to which I can refer—I am not going to discuss the merits of the Bill—its main object had the hearty approval of nearly all the Scotch Members, that is to say, they approved of its object of having local inquiries in Scotland. But what we complained of was that the tribunal to be established under the Bill was not such as the bulk of Scottish opinion approved. The Lord Advocate has referred to the alteration which was made in the Bill as a concession to this side of the House, but I pointed out at the time that an addition was made to that concession which completely neutralised the effect of it, and for that reason Scotch Members were obliged to continue their opposition. Then, we are told that Scotch Members are responsible for preventing the Bill becoming law through the cloud of Amendments they brought forward to it. But those Amendments were placed on the Paper because the points raised in the Select Committee were only decided in favour of the Government by the casting vote of the Chairman, or a majority of one, and in such circumstances it was only natural that the Scotch Members should again raise those

points in the House upon which we were unsuccessful upstairs. On that ground I do not think much fault can be found. The truth is, there was no momentum in the Bill, because its final condition was satisfactory neither to the one side or the other; it was one of those weak compromises having that distinguishing characteristic. The lesson to be learnt from the fate of that Bill, and of others I might mention, is that Scotch legislation passing through this House in order to be successful must be in accord with the predominant wishes and opinions of the Scotch people, and this strengthens our contention that the Secretary for Scotland ought to be in the House of Commons, in order that he may become fully and directly cognizant of those wishes and opinions. I know there is an anomaly in voting to reduce the salary of a Minister of whose administration we have no reason to complain, but this course is the only means open to us of expressing our sense of the evils against which we protest.

(10.57.) DR. CLARK: We are asked to vote £11,000, and the right hon. Gentleman has moved to reduce the Vote by £500, but the logical conclusion to the speech we have just listened to would be to reject the entire Vote, on the ground that the money is wasted so far as the conduct of Scotch business is concerned. I quite agree that the present system is most unsatisfactory, and the old condition of things, which cost less, was in many respects better than the present. We had the Home Secretary as Minister for Scotland, and we also had a Member of the Cabinet, responsible for Scotch affairs in this House; we had the Lord Advocate as representing the legal side of Scotch affairs, and we had a Scottish Lord of the Treasury. Under the present condition of things, with a Scottish Secretary of State, an Under Secretary and an Assistant Under Secretary, we are as badly off as ever, if not worse; so I say the logical conclusion would be to reject the Vote and go back to the old condition of affairs. Under the old condition of things charges of neglect of Scotch measures were made, just as they have been made to-night, and that Bills for Scotland were passed not in accordance with the wishes of Scotch Members. Now we have a change in the position. We are criticising technically the administration of the Scotch Secretary. Not one word has been said against the mode of administration—I mean against the ability and courtesy of the Secretary for Scotland. The highest compliments have been passed on Lord Lothian. But still, though we have a Secretary for Scotland and a Scotch Office, the old condition of things exists, and no matter what is done, we shall still have Scotch objects competing with those of England, Ireland, and Wales, and crushed out by them. Hon. Gentlemen on this side of the House are equally to blame with the Government opposite. They appointed Lord Dalhousie to the Scotch Office: and though I believe they are coming round to our way of thinking, it still will be impossible to get our views carried out. In this congested House it will be impossible to get Scotch objects carried out, and if we want to pass Scotch legislation we shall require to go to Scotland for the purpose. An hon. Member pointed out a condition of things which prevailed here at one time, and which may prevail again. I mean when we had six Members of the House representing one Party in Scotland and 66 representing the other. There might be here in England, as we have now, a great majority of English Conservatives, and there might be only six Scotch Conservatives, yet the principles of those six Scotch Conservatives would be carried out in opposition to the wishes of the 66. This is only another object lesson in the matter of Scotch Home Rule, and will bring home clearly to the mind of the Scotch people that the only way to satisfy the demands of Scotch business will be by giving us Scotch Home Rule. There is one point in which the Secretary for Scotland has, as I think, acted wrongly, and that is in connection with the appointment of certain Commissions. As a rule in appointing Commissions, Governments, whether Tory or Liberal, have sought to give fair representation on them to both sides in politics. On the Crofter Commission, although there were, perhaps, too many of one side, yet both parties were represented. But what is even more important, you had men appointed who were thoroughly well acquainted with the subject dealt with. The Secretary for Scotland has appointed three Commissions during the last two years, and I have to complain that he

has not followed the usual method in their appointment. He has appointed persons who do not know much about Scotland, who have been got at, tampered with, and deceived, instead of appointing persons familiar with the wants and conditions of the people. In future, I hope that when Commissions to the Highlands are appointed, men will be selected who know something about the subject, and who cannot be tampered with and deceived. I am glad we have had this Debate, because it proves to me if anything were wanted to show it, the absolute necessity of a much larger measure of devolution than any yet proposed, and that the only way of getting Scotch business transacted is to have it done in Scotland by Scotch Members, and not under the conditions which exist in this House.

(11.5.) MR. HUNTER (Aberdeen, N.): This is an opportunity which we cannot allow to pass without renewing our protest against the manner in which the Government have most successfully defeated, and wholly frustrated the object which Scotch Members sought to obtain by the appointment of the Secretary for Scotland, by selecting for that office a gentleman who is not a Member of this House—a person whom we never see or hear, and with whom it is almost impossible to have any communication. The Government have effectually deprived the Secretary for Scotland of that knowledge of the feelings of Scotch Members, and of Scotch opinion, which is absolutely necessary for one in his position, if he is to guide his office in accordance with the opinions of Scotland. Every year that passes emphasises, to my mind, the lessons of the year that has gone before. It is five years since Lord Lothian became Secretary for Scotland. During the whole of that time I have had the honour of seeing him twice. It is obvious to any man of common sense that if Scotch business is to be done, it must be done in that place where Scotch Members are, and although it is somewhat late in the tenure of the present Government to press the question upon them at great length, because, no doubt, their days are numbered, still I trust that their successors will take a lesson from the experience they have had during the past five years, and that the mistake will not again be repeated. I listened to a very singular argument by the hon. Member for Roxburghshire, who said we must not adopt a rule that the Secretary for Scotland shall sit in this House, because it may happen that at the General Election only six Tories will be returned for Scotland, and he asked how out of the six are we to fill three such offices as the Secretary for Scotland, Lord Advocate, and Solicitor General. I admit there is a difficulty in these circumstances, but what a light does it throw upon the relations of the two Kingdoms, that a Party so small as not to be able to furnish a single gentleman fit to occupy the office of Secretary for Scotland shall have the power, through the votes of English Members, of entirely controlling and disregarding the opinions of the people of Scotland. But we have not yet come to the six Members, and I am surprised that that argument should be put forward in a House containing 25 or 26 supporters of the Government. If I had suggested that the illustrious Unionist Party is not capable of furnishing a single person fit to hold the office of Secretary for Scotland, I should almost have considered myself to be perpetrating a libel.

MR. A. ELLIOT: My point was as to the difficulty of selecting a Cabinet Minister out of half a dozen Members.

MR. HUNTER: I object very strongly to one act of Lord Lothian's administration, and that is, that on the 11th June, without notice to the Scotch Members, he, by a stroke of the pen, altered the conditions under which the grant is made to Scotland in lieu of school fees.

THE CHAIRMAN: The proper time to discuss that is when the Scotch Education Vote comes on.

MR. HUNTER: I will raise the question on that Vote. I wish to call attention to the delay which has occurred in presenting to the House the Government plan of distributing the sum of £190,000 which fell to Scotland during the present year. That is an instance of the manner in which Scotch business is conducted. With regard to the Private Bill Procedure Bill, I do not think it is a matter of complaint that the Government withdrew the Bill. The real blame attached to them for having introduced and having occupied time with a measure, and then having admitted its unsuitability. I cannot join in the

chorus which seems to have come from some hon. Members with regard to Lord Lothian. I am not going to say a word against his Lordship, but it seems to me that these smooth speeches rather suggests the idea that these hon. Members are imitating the habits of a well known snake, which before proceeding to swallow its victim first beslavers him.

(11.16.) The Committee divided:—Ayes 71; Noes 107. (Div. List, No. 364.)

Original Question again proposed.

(11.25.) MR. CRAWFORD (Lanark, N.E.): Before this Vote is passed, I should like to call attention to one or two points in the Reports of the Inspectors of Constabulary in Scotland. These Reports contain very valuable suggestions, and without attaching too much blame to any Government, I think there is always considerable risk of these suggestions being buried in Blue Books, however important they may be. They are not supported by the Government, consequently no attention is ultimately given to them. As an example of that I may refer to a subject brought forward by the Inspector of Constabulary and his predecessors for many years, namely, the important subject of the superannuation of police. It was only last Session that that subject seriously engaged the attention of Parliament, and that an Act was passed dealing with it. There are three points contained in the Report of the Inspector of Constabulary that I desire to refer to—though, as they are far from being exciting topics, it would be intolerable in me to detain the House long in dealing with them. The first point the Inspector calls attention to is the interruption of prosecutions in criminal cases by being undertaken by Sheriffs' officers after they have been begun by police officers. I do not say whether the Inspector of Constabulary on that point is right or wrong. Sometimes the Police Authorities rather try to amplify their jurisdiction and draw to themselves too large a share of authority, but I think the Lord Advocate will agree with me that the view of the Inspector is at all events justified; that whether the prosecutions are undertaken by the Sheriff or the police, it seems right that they should be carried on from end to end either by the one or the other. I should like to know what is the right hon. Gentleman's views on that point. The second point is a minor one, as to the men who perform duties at the Government buildings, and are paid by the Treasury. They should be part of the local police force, under the authority within whose jurisdiction the buildings are situated. It is inconvenient, and causes obstruction, that separate men, old and worn out, as the Inspector says, should be employed by way of makeshift. The third point is the most important of the three, and it is as to the police stations and the police cells, which are in many districts in a very insanitary condition. This is a matter that was inquired into lately by a Committee. Certain recommendations were made by the Committee, but, apparently, they cannot have been fully or satisfactorily carried out, because the Inspector complains that several of the cells, and also the stations, are in a very unwholesome and unsatisfactory condition. He also says that it is complained that in order to save trouble two prisoners are sometimes put into one cell when there is plenty of room for accommodating them in single cells. In the case of untried prisoners, it is obvious that that practice might lead to great abuses, for men against whom trifling charges are made, might before trial have to share their cells with a hardened criminal merely to save the turnkey a little trouble. I am sure the Lord Advocate will agree with me that this is an improper thing. I may add to that something which is not in the Inspector's Report, but which has been told to me by an experienced Magistrate of very moderate views, and that is that very often there is no female warder to look after the female prisoners, who are consequently left in the charge of policemen. While I have sincere confidence in the character of the Force as a whole, I must say that that is not an agreeable or fair position in which to place a woman, and I have been informed on high authority that serious abuses have sometimes resulted. These are the three points I wished to bring forward. I have done so with a view of strengthening the hands of the Inspector, who is a most capable and efficient officer. I have a fear that Reports of this nature are too often pigeon-holed unless public attention is drawn to them. I invite the Lord Advocate to give the

weight of his authority, and the authority of the Government, to these recommendations, and if that is done I have no doubt that Local Authorities will pay greater attention and respect to the Report.

MR. ANGUS SUTHERLAND: I wish to ask a question which perhaps is not altogether germane to the Vote. I understand that the Secretary for Scotland has the power of determining the sittings of the Crofter Commission. Some crofters applied to the Commission as far back as 1886, and they have not been visited, nor have their cases been heard and adjudicated upon. In the case of landlords, however, the Commissioners have sat and adjudicated upon the applications so quickly after the applications have been lodged that the tenants have not had sufficient opportunity to prepare their cases. I wish to ask the Lord Advocate if he has any explanation to offer on this matter.

(11.35.) MR. MUNRO FERGUSON; I desire to call attention to the question of smaller police establishments, and to the recommendation that they shall be reduced and merged into larger forces, a point which I hope will receive the attention of the Government.

MR. J. P. B. ROBERTSON: With reference to the first point raised by the hon. Member for North-East Lanarkshire, I may point out that this is a question in which it is necessary to harmonise the efficiency and continuity of police duty with the aspect of the question as considered by the criminal authorities. The observations of the hon. Member will be noted. The second point raised by the hon. Member is a question of mixed authority, and as to the police stations and police cells it must be borne in mind that we have to carry the Local Authorities with us. The observations of the hon. Member, however, will not be lost, inasmuch as close attention will be given to the decency and ordinary requirements of such places. As to the consolidation of the police forces, the Committee had an opportunity of considering the question on the Local Government Bill, and 7,000 was the number adopted as the minimum. We must endeavour to harmonise local feeling and the interest of the Local Governing Bodies with the requirements and efficiency of the police force; but no doubt the tendency is in favour of consolidation rather than isolation. In the case of the Crofter Commission it is extremely difficult for the Secretary for Scotland and the Crofters Commission to make a programme which will meet all urgent cases, but the Commissioners have shown a disposition to meet the convenience of all parties concerned.

DR. CAMERON: As the right hon. Gentleman has promised attention to the matters referred to by my hon. Friend, I should like to call his attention to a passage in the Report of the Inspector of Constabulary as to the "more general peace and order" which has accompanied the early closing of public houses. I trust the right hon. Gentleman will call the attention of the Secretary of Scotland to the results of the measure.

(11.40.) MR. J. P. B. ROBERTSON: Certainly.

DR. CLARK: I find that the senior clerk in the Scotch Office begins with a salary of £450, which rises £20 annually to £600 a year. But the senior clerk in the Home Office begins at £700 and goes up to £800, while the senior clerk in the Chief Secretary's Office at Dublin begins at £700 and rises to £900. I want to know how it is that the pay in the Scotch Office is so low?

MR. J. P. B. ROBERTSON: As far as I am concerned, I cannot go into a comparison, but I do not understand that the hon. Member objects to the amount.

DR. CLARK: I want a reason for the difference of treatment. Of course, I shall not divide the Committee on the matter.

MR. J. P. B. ROBERTSON: No doubt my right hon. Friend the Secretary to the Treasury will explain the matter on Report.

SIR G. CAMPBELL: My view is that we already have too many highly-paid officers in the Scotch Office.

*MR. H. H. FOWLER (Wolverhampton, E.): The explanation is that the senior clerk in the Home Office has a position equivalent in rank to the Assistant Secretary for Scotland.

DR. CLARK: I think my right hon. Friend is confounding the principal clerk with the senior clerk. The Assistant Secretary for Scotland gets £1,000 a year, the same officer in Ireland £1,200, and the like officer in England £1,500.

*Mr. H. H. FOWLER: The Assistant Secretary for Scotland is not equivalent to the Assistant Under Secretary at the Home Office.

Dr. CLARK: There are three principal clerks in the Home Office who begin at £900 and go up to £1,000. Three senior clerks begin at £700 and go up to £800. I cannot understand why the clerks in the Scottish Office should be treated differently. I do not care what is the amount of salary. I only plead that they shall be all on the same footing.

*Mr. HOZIER (Lanarkshire, S.): Are we to understand that the right hon. Gentleman the Member for Wolverhampton is responsible for this scale of pay?

*Mr. H. H. FOWLER: No; I know all about it.

*Mr. HOZIER: It was a Liberal Government that fixed it, then?

*Mr. H. H. FOWLER: No, Sir.

Question put, and agreed to.

5. Motion made, and Question proposed,

"That a sum, not exceeding £15,469, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1892, for the Salaries and Expenses of the Fishery Board in Scotland and for Grants in Aid of Piers or Quays."

(11.47.) Dr. FARQUHARSON (Aberdeenshire, N.): I should like to point out that to-day we are in the same position as we were last year when we came to discuss this Vote. We have not before us the annual Report of the Board. I know with what satisfaction I have perused past Reports, and with what admiration I have followed the intricate inquiries and excellent work of the eminent men composing the Board. I hope we shall have an assurance from the Lord Advocate that next year the Report will be distributed before we are asked to discuss the Vote.

Mr. DUFF: I sympathise with the remarks of my hon. Friend, and with him regret the absence of the Report, as we particularly wish to know what has been the effect of recent legislation. We know that in the interest of the fishermen on both sides of the Moray Firth, it is essentially necessary to keep the trawlers from fishing near the shore, but the Board have no adequate means of enforcing its bye-laws. In the Firth there are about 10,000 fishermen, on whose labour 70,000 people are dependent, whereas the trawlers which come from Aberdeen, and do the mischief complained of, only employ about 480 men. The great difficulty arises from the fact that the Board only has one small steamer at its command for the whole of Scotland, and it is quite useless to control the trawlers, some of which can go 16 knots. When we were discussing the Naval Vote the other day I pointed out how vessels, too small for ordinary naval purposes, might well be employed for marine police work. I also have to complain of a very large amount which is taken out of the "brand money" for purposes other than those of harbour construction, to which it was originally intended it should be applied. Finally, I should like to know what has been done in the matter of increasing the salaries of the fishery officers. No doubt fresh duties are constantly imposed on these officers. Increased pay has long been promised them, and I hope we shall now have a satisfactory statement.

*(11.57.) Mr. BARCLAY (Forfarshire): I regret that the Bill for the reconstruction of the Fishery Board was not proceeded with this Session. The question of bait for the fishermen is one of very great importance and urgency on the east coast of Scotland, for the mussel beds there are very nearly exhausted, and last season considerable quantities of mussels had to be imported from Holland. I believe that a small expenditure of money under proper regulations would secure in a few years an abundance of mussel beds round the coasts of Scotland. But before this can be done the Fishery Board must be re-constructed with larger powers, and it should have allotted to it by the Government a certain amount of money for the cultivation of the mussel. I think that if the Government bring in a Bill next Session to establish the Fishery Board on a wider basis and with more extended powers it will pass without difficulty, and will confer a real and substantial benefit on the fishermen of Scotland. The existence of a strong and responsible Board in Edinburgh would also have the effect of relieving the House of Commons from a great deal of discussion which now takes place. Another recommendation which I would

make is that a larger amount of money should be placed at the disposal of the Fishery Board for the purpose of harbours. In connection with the scientific portion of the Board's work, there are complaints that the vessel placed at their disposal for carrying on experiments is not suitable for the purpose, and I hope that the Government will consider this matter.

(12.4.) MR. J. P. B. ROBERTSON: The Report to which the hon. Member for West Aberdeen has referred will soon be ready. I regret that it was not in the hands of hon. Members in time for this discussion. With regard to the question of trawling, I may remind the Committee that the legislation on the subject has established a very liberal line of prohibition. As to the question of enforcing the bye-laws, I quite agree that that is a somewhat important matter; I can only say that it is under the present consideration of the Government, by which I mean not only the Scotch Office, but also the Government Departments concerned. The salaries of the fishery officers, I am glad to be able to say, are to be increased. The salary of the General Inspector will be £300, rising in five years to £350; of the Assistant Inspector's £250, rising to £280; of the next grade of officials £200 to £230; and of the last grade £90 to £120. These alterations will come in force at the end of the current year. Complaint has been made that money which comes from the branding fees has been devoted to telegraphs, but for my own part I am not prepared to join in the suggestion that telegraphs are something extraneous to the interests of the fishing class. There are few things in which the fishermen themselves are more interested than the improvement of telegraphic communication.

(12.10.) MR. MARJORIBANKS: I am glad to hear the announcement of the right hon. Gentleman as to the increase of the salaries of the fishery staff.

DR. CLARK: I must object to the whole Vote. Four years since the Lord Advocate announced that he was going to bring in a Bill re-organising the Fishery Board. He has not done so, and I think the only remedy we have is to refuse to grant this money. I see that in this Vote there is a sum of £3,000 a year set apart for repairing harbours. Bearing in mind the source from which this grant was originally obtained, the sum should be £9,000 instead of £3,000. I certainly think the Government, in its dealings with the brand fees, are acting towards us in a very contemptible manner. You whittle the amount down as much as you possibly can, because you know the surplus will go to Scotland, and you will not let us have more than you can help.

MR. DUFF: I think that although the telegraphs are of great importance to fishermen, a greater proportion of the expense should be borne by the Imperial Revenue, instead of being deducted from the surplus brand fees. We know that during the Naval Manœuvres Her Majesty's ships made good use of the telegraph stations.

MR. FINLAY (Inverness, &c.): I think a strong case exists for increasing the grant for harbours, and I hope the Government will take the matter into its consideration.

Question put, and agreed to.

6. £3,034, to complete the sum for Lunacy Commission, Scotland.

7. £14,222, to complete the sum for the Registrar General's Office, Scotland.

(12.16.) MR. HUNTER: How soon will it be possible for the Registrar General to give Provisional Returns showing the number of persons who are employed (as distinguished from employers) in Scotland?

MR. J. P. B. ROBERTSON: I quite appreciate the importance of the question raised by the hon. and learned Member, but fear that it will not be one of the first subjects the Department will deal with. It involves going a great deal into detail, and must necessarily take some considerable amount of time to prepare. The Census work is, I believe, in a forward state, and I will endeavour to get the information the hon. Member requires.

Vote agreed to.

8. £6,746, to complete the sum for the Board of Supervision for Relief of the Poor, and for Public Health, Scotland.

(12.18.) MR. MARJORIBANKS: I wish to ask on this Vote a question with respect to the appointment of medical

officers by the County Councils in Scotland. If the legislation on the subject is examined it will be seen that the Government evidently contemplated that in some cases the officer appointed should not be compelled to give the whole of his time to the duties of his office. But the Board of Supervision has strongly urged County Councils to appoint officers who will give the whole of their time to the work, and I wish to know if the Scotch Office sanction the attitude it has taken up.

MR. J. P. B. ROBERTSON: I am bound to say the view of Parliament was that, wherever possible, having regard to the affluence and importance of the county, the county should procure a medical man who would give his whole time to the supervision of sanitary affairs. The latitude is given only in view of the fact that there are counties with so small a population that to insist on that requirement might defeat the object aimed at. The Board have not refused that grant to such counties, but in regard to the larger counties I think the Scottish Office would not be well advised if they discountenanced the action of the Board of Supervision in endeavouring to get medical officers who will give their whole time to their public duties.

Vote agreed to.

Resolutions to be reported upon Monday next.

Committee also report Progress; to sit again upon Monday next.

TRAINING COLLEGES (IRELAND) BILL.—(No. 391.)

COMMITTEE.

Order for Committee read.

(12.27.) MR. KELLY (Camberwell, N.): I object.

MR. SEXTON (Belfast, W.): Has not the Chief Secretary for Ireland something to say on this?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I very much regret that the hon. Member should object.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I hope my hon. Friend will withdraw his objection.

MR. KELLY: I object, because the Bill is an attempt to endow Roman Catholics out of the funds of the Protestant Church of Ireland.

MR. A. J. BALFOUR: So far from that being the case, the friends of the Protestant Church of Ireland are those who have most strongly urged this Bill on me.

MR. SEXTON: Will the right hon. Gentleman take any step to secure the passing of this Bill by putting it down first on the Orders for Monday or any other day?

MR. A. J. BALFOUR: I will consult with the Leader of the House on the matter.

Committee deferred till Monday next.

SUPPLY—REPORT.

Resolutions [16th July] reported.

Resolution 1 (see page 1444) agreed to.

2. "That a sum, not exceeding £25,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, in aid of the Mercantile Marine Fund."

(12.30.) MR. CRAIG (Newcastle upon-Tyne): I should like to ask the President of the Board of Trade when we may expect the Report of the Departmental Committee on Lighthouses, and which he promised some years ago?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I did not promise a Departmental Committee.

MR. CRAIG: I beg pardon; I was present and heard you.

*SIR M. HICKS BEACH: The hon. Gentleman is mistaken; it was a Departmental Committee on the relations between the Mercantile Marine Fund and the Treasury.

Resolution agreed to.

Resolutions 3, 4, 5, 6, and 7 (see pages 1452-1459) agreed to.

8. "That a sum, not exceeding £369,005, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Stationery, Printing, and Paper, Binding, and Printed Books for Public Departments, and for the two Houses of Parliament, and for the Salaries and Expenses of the Stationery Office, and the cost of Stationery Office Publications, and of the Gazettes; and for sundry Miscellaneous Services, including the purchase of Parliamentary Debates."

*SIR J. COLOMB (Tower Hamlets, Bow, &c.): I voted in Committee last

night with the Government because I thought it unreasonable to reduce a permanent official's salary who was merely acting in conformity with precedent, but I trust the Government will turn their attention to the question whether it is not possible to get just as good pencils in England as in Germany? I believe that in Cumberland and elsewhere quite as good and as cheap pencils can be obtained if the Government show their readiness to reasonably support British manufacture.

MR. J. W. LOWTHER (Cumberland, Penrith): I desire, on behalf of my constituents, a great number of whom are engaged in the manufacture of pencils, to enter my protest. [*Laughter.*] I do not see that there is anything to laugh at. It is well known that in and around Keswick pencils are manufactured in large quantities. These pencils are good enough for the London School Board, for the London and North-Western Railway Company, and for many other large Public Bodies, and I do not see why the Government should not go to Cumberland and other parts of England for pencils instead of going to Bavaria.

*SIR J. GOLDSMID (St. Pancras, S.): There are matches made in England, but those supplied to the House of Commons are made in Sweden.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have called the attention of the Stationery Office to the question of the supply of pencils. There seems to be a misapprehension in the matter. A very large quantity of pencils used in the Public Service are made in the constituency of my hon. Friend (Mr. J. W. Lowther.)

MR. MARJORIBANKS: The pencils used in the Division Lobbies of this House are German pencils.

Resolution agreed to.

POST OFFICE ACTS AMENDMENT BILL.—(No. 366.)

CONSIDERATION.

(12.40.) Order for Consideration, as amended, read, and discharged.

Bill re-committed in respect of Amendments to Clause 7 and of a New Clause (Power to Rural Authorities to undertake to pay loss occasioned by extra postal facilities), considered in Committee, and reported; as amended, considered—

New Clause—

(Criminal diverting of letters from the addressee.)

"Any person not in the employment of the Postmaster General who wilfully and maliciously, with intent to injure or annoy any other person, either opens any letter which ought to have been delivered to such other person, or does any act or thing whereby the due delivery of such letter to such other person is prevented or impeded, shall be guilty of a misdemeanour, and be liable to a fine not exceeding fifty pounds, or to imprisonment not exceeding six months.

Nothing in this section shall apply to a person who does any act to which this section applies where he is parent or guardian of the person to whom the letter is addressed.

A prosecution shall not be instituted in pursuance of this section except by direction of the Postmaster General.

A letter in the section means a post letter within the meaning of 'The Post Office Protection Act, 1884,' and any other letter which has been delivered by post,"—(*Mr Raikes,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."—(*Mr. Raikes.*)

MR. S. T. EVANS (Glamorganshire Mid): It appears to me that this clause is of a very sweeping character.

MR. KELLY (Camberwell, N.): I think the words "or annoy" will lead to great difficulty and trouble, and that it would be well to leave them out.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Subject to the opinion of the Postmaster General, I think the words "or annoy" are unnecessary, because the substantial offence desired to be met will be secured by the words "intent to injure."

MR. COURTNEY (Cornwall, Bodmin): I should be glad if the words "or annoy" were omitted, as they do not seem to be necessary to attain the object desired. I am jealous of the prosecution being instituted only at the discretion of the principal official of the Government. I cannot understand why that principle should be admitted. Any one seriously injured ought to have the common right of any subject to redress.

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): If it is the general wish of the House, I have no objection to allowing the words "or annoy" to be struck out. At the same time, I think the clause will not be quite so effective without them. As to the discretion of the Postmaster General in

regard to prosecutions, I should certainly prefer that the Public Prosecutor should be substituted for the Postmaster General, but I do not feel warranted in striking out the provision.

SIR H. DAVEY (Stockton) was inaudible in the Gallery.

MR. T. M. HEALY (Longford, N.): I have a strong objection to the clause as a whole, and it was only because of the fact that prosecutions are not to be instituted except on the direction of the Postmaster General that I give my sanction to it. Without that provision the clause might be used as an engine of oppression, especially in Ireland.

*MR. H. H. FOWLER (Wolverhampton, E.): I took objection in Committee to the clause, and I am bound to say the Postmaster General has done his best to meet the views of those who objected to the clause. But if the opinion of the Chairman of Ways and Means is to prevail I should be compelled to oppose the clause altogether, for the clause might be used as an engine of mischief if not of malice. I hope the Postmaster General will stand firm in the matter.

SIR R. WEBSTER was inaudible in the Gallery.

Question put, and agreed to.

Amendment proposed, in line 2, to leave out the words "or annoy."—(*Mr. Raikes.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and agreed to.

Amendment proposed, in line 3, to leave out the word "either."—(*Mr. Hunter.*)

Question proposed, "That the word 'either' stand part of the Clause."

MR. HUNTER (Aberdeen, N.): Supposing a letter is delivered to a wrong person. Will that person fall within the punishment provided by this section if he takes no steps in the matter?

SIR R. WEBSTER: It seems to me that a person to whom a letter is wrongly delivered does not come within the clause. The intention is that a person must do something to prevent the delivery of a letter.

Amendment, by leave, withdrawn.

Amendment proposed, in line 3, after "opens," to insert "or causes to be opened."—(*Mr. Raikes.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in line 9, after "parent," to insert "or person in the position of the parent, or husband or wife."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*MR. RAIKES: I hope the hon. and learned Gentleman will not press this Amendment. I think "guardian" will cover the case. I should be sorry to introduce the question of husband and wife in the Bill. We always deliver letters to the person to whom they are addressed.

MR. HUNTER: But the Bill does introduce the question, for by the Bill it is made a criminal offence for the husband to intercept his wife's letters.

MR. KELLY: May I suggest that it would be better to leave out the paragraph altogether?

SIR R. WEBSTER: I am bound to say I do not think the words are actually necessary, but the better course would be, rather than tinker with the subsection, to leave it out altogether.

Amendment, by leave, withdrawn.

Another Amendment proposed, to leave out from the word "months," in line 7, to the word "A," in line 11.—(*Mr. Raikes.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR H. DAVEY: Some of us cannot assent to this proposition. I think the words are not by any means useless as a guide to a person who proposes to institute a prosecution.

*MR. RAIKES: If the hon. and learned Member presses his objection it will be necessary to adjourn the Debate.

SIR H. DAVEY: The Debate will have to be adjourned, as we have not got through the Amendments.

It being One of the clock, the Debate stood adjourned till Monday next; and Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 20th July, 1891.

REPRESENTATIVE PEERS FOR IRELAND.

Lord Trimlestown—Petition of Christopher Patrick Mary Barnewall claiming a right to vote as Baron Trimlestown for Representative Peers for Ireland (presented on the 20th day of February last), referred to the Committee for Privileges.

Lord Trimlestown — Christopher Patrick Mary Barnewall's claim to vote as Lord Trimlestown at the election of Representative Peers for Ireland: Committee for Privileges to meet on Friday, the 31st instant.

SAT FIRST.

The Lord De Saumarez, after the death of his father.

CONDUCT OF BUSINESS.

OBSERVATIONS.

LORD DENMAN, in rising to call attention to the influence of Resolutions on Sessional Orders, Standing Orders, and on Bills, said: My Lords, I conceive you are not quite aware of the very great power of Resolutions over Sessional Orders, Standing Orders, and upon Bills. In 1855 there was a Sessional Order that no Bill should be read a second time after a time which had then expired. On the Motion of Lord Stanley of Alderley that Resolution was done away with. The consequence of that was that Bills passed in a very great hurry without such alterations as Lord Campbell and Lord Grey had suggested to your Lordships. If we have these Sessional Orders they surely ought to be attended to. Your Lordships know how difficult it is to keep a House together at the end of the Session. There is one Standing Order now, which is, that unless there be 30 Peers in the House a Bill is to be postponed until the next day. If I had had a Teller on the last occasion last Session several Bills must have been put off for a day; and I tried to prevent that disagreeable state of things by moving a Resolution that the Standing Orders should be suspended. I did it with the best intentions, and not by any means to embarrass the Government. The quorum of this House is three, and any attempt to alter it is inexpedient. Noble Lords are always trying to make it five. That has occurred in Committee of Privileges. There was an attempt to make the majority of Lord Brougham control the Committee of Privileges. Lord Redesdale was very much put about, and opposed it. Lord Redesdale sometimes gave way to innovation. For instance, it comes from him that it is absolutely necessary that three Law Lords should be sitting in appeal in this House. There has consequently been at least one occasion on which parties have come wishing their causes to be tried, and they have been postponed in consequence of the absence of Law Lords. I have always held that this House is the Committee of Privileges. In the time of Edward III. there was a Committee of five, including the Archbishop of Canterbury and the Chancellor, who was, of course, at that time always a Roman Catholic, and it was required that they must always report to the House. That condition seems to be rather forgotten, and the Law Lords overrule other Courts without consulting your Lordships. There is this remedy: that if there is anything wrong the privilege of reading Bills for the first time, giving the opportunity of bringing forward anything we think objectionable, is sufficient to counteract it. With regard to the other occasions on which Resolutions have altered the whole course of legislation, I must go back first to 1832, when General Gascoigne's Resolution caused a dissolution of Parliament, which was very unfortunate, and my lamented father strongly remonstrated with this interference with the future freedom of legislation in Parliament. The other matter to which I wish to allude is a Resolution passed on the 14th August, 1879, by which the Standing Orders were suspended and Limited Liability was conceded to banks. I do not mean to be personal at all in my allusion to that; but, at the same time, that has had a most important effect in relation to property. I may mention a relation of mine having to pay £5,000 upon five shares as a shareholder. If that Resolution had been

An Asterisk at the commencement of a Speech indicates revision by the Member.

Conduct with H.M.'s Government.

passed before the failure of the Glasgow Bank, my relation would only have had to pay £500 instead of £5,000. Your Lordships must remember what an enormous power that gives to creditors of banks in having all the shareholders responsible to the full amount of their fortunes. I believe the Lord Chancellor has seen some of the inconveniences of the very strait-laced rules of the banks. Lord Overstone desired that all the capital should be paid up, and he blamed your humble servant in the matter. I repudiated the imputation cast upon me. I by no means desire to cast reflections upon useful public servants who do their duty in an admirable manner, but I must remind you that Resolutions have still the same power, and if anything objectional occurs it is our duty to make a Resolution. It is not the sole privilege of Governments to make Resolutions. That may be done by any Member of the House; and really I have not forfeited the confidence of the House by anything I have ever said or done. I find that very often things upon which I lay great stress are omitted by the Press, sometimes by *Hansard*, and always by the newspapers. In regard to that I would say that they are liable not only to lose their circulation, but may suffer if they state anything contrary to the truth. I think the sooner these things are understood the better will be the conduct of business. I have particularly desired to call your Lordships' attention to this subject. For my own part, I can only say I have always stayed to the end of the Sitting. *Vigilantibus non dormientibus leges subservunt.*

SHERIFFS (ASSIZES EXPENSES) BILL.

[H.L.].—(No. 23.)

Bill (by leave of the House) withdrawn.

MARKETS AND FAIRS (WEIGHING OF CATTLE) BILL.—(No. 185.)

COMMITTEE.

House in Committee.

Clauses 1 and 2 agreed to.

Clause 3.

THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, I propose to withdraw two Amendments, of which I have given notice, after Clause 3, in consequence of the Amendment which has been placed on the Paper by the noble Lord opposite.

THE EARL OF CAMPERDOWN: My Lords, I propose to insert a sentence at the end of sub-section 1, which provides that the market authority may, for the purpose of making the prescribed return, cause any cattle which have been sold at the market to be weighed without fee. The object of the Amendment is to enable the market authority to obey any orders which they may receive from the Board of Agriculture. That may very easily be done; but if no cattle have been sold by weight in the market, the market authority would be unable to make the return. They would be unable to do so unless they had the power of weighing cattle for that purpose. Of course, in that case it would not be just that the market authority should charge any fees.

Amendment moved, In clause 3, page 1 line 30, at end of clause, to add, ("such market authority may, for the purpose of making a prescribed return, cause any cattle which have been sold at the market to be weighed without fee.")—(*The Earl of Camperdown.*)

EARL CADOGAN: The Amendment appears to meet the views of noble Lords on both sides of the House, and I entirely agree.

THE EARL OF KIMBERLEY: Will that make it compulsory?

EARL CADOGAN: I think so.

THE EARL OF KIMBERLEY: I should like that to be understood, whether it would cause them to be compulsorily weighed.

EARL CADOGAN: I read it so. It provides, first, that the market authority should send the returns to the Board of Agriculture, and then that for the purpose of making the prescribed return they shall cause any cattle which have been sold at the market to be weighed without fee. The word "cause" means that they should be compulsorily weighed.

THE EARL OF KIMBERLEY: But might it not give rise to great inconvenience and annoyance if they select particular cattle and compulsorily weigh them? I think that might cause great discontent.

EARL CADOGAN: The fact is, that this will practically result in a general compulsory weighing. The chief object of the clause is to obtain statistics which will be of value, and it is very obvious that if there were no provision rendering weighing to a large extent obligatory, the statistics obtained would be of very slight value.

THE EARL OF KIMBERLEY: This provision would introduce compulsory weighing. It is a very great change in the law, and I should be glad to know whether it has been ascertained that it will be acceptable throughout the country. I am not saying anything against the weighing of cattle, but I know there is the greatest objection on the part of farmers to have their cattle weighed, and I am afraid if you introduce this clause it will cause an amount of discontent which perhaps we do not foresee.

*EARL SPENCER: As far as I understand, the object of this clause is not to introduce compulsory weighing; but in some markets they are obliged to make a statement founded on the weighing of cattle, and it is in order to enable the authorities in those local markets to obtain the necessary particulars to enable them to make the returns. I should think it would lead to little difficulty as a matter of fact, because in every market there will always be a considerable number of cattle weighed, and, therefore, practically there will be no difficulty in obtaining the information.

THE EARL OF CAMPERDOWN: I think I can make it quite plain. If your Lordships will look at Clause 3, that states that the market authority is to send to the Board of Agriculture returns, at such intervals and in such form as the Board of Agriculture may prescribe. Now, if it so happened that there were no cattle sold by weight in that market, so as to enable the return to be made, the market authority would not be able to comply with the orders so received from the Board of Agriculture, and in such cases one or two beasts might be weighed under the clause for the purpose of making the prescribed return, and for that purpose only. If your Lordships look at the Amendment, you will see this power of weighing is simply for the purpose of making the prescribed return. It does not give them a general power of weighing the cattle whenever they wish, in every market.

THE EARL OF KIMBERLEY: I am very pertinacious, I am afraid, but I am not at all satisfied about this. I do not think my noble Friend has rightly interpreted the clause in the Bill. That clause enables them to make a return; it does not compel them to make a return of cattle weighed if none have been weighed. If there are no cattle weighed, of course there will be no return.

THE EARL OF CAMPERDOWN: The words are "and the price of the cattle sold thereat"; that is, whether weighed or not.

THE EARL OF KIMBERLEY: If you are going to give a general power of weighing it will lead to compulsion, and I think we are introducing an Amendment without sufficient consideration, and the result of which we do not foresee.

Amendment agreed to.

EARL CADOGAN: I have an Amendment, to leave out Sub-section 3 of Clause 3, and to insert the following words:—

"(3.) If a market authority makes default in complying with the requirements of this section, it shall, for each offence, be liable on summary conviction, to a fine not exceeding twenty pounds, or in case of a continuing offence, to a fine not exceeding ten pounds for every day during which the offence continues." (*The Earl Cadogan.*)

Really this provides for a fine not exceeding £20, instead of the power which previously existed, taking away the power of exacting tolls from the Market Authority. That, it is considered, would be too high a penalty, and I move this Amendment to insert instead a fine not exceeding £20.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4.

EARL CADOGAN: Then in line 19, after the word "who," I move to insert certain words, the object of which is to make it clear that returns are asked for from auctioneers in the scheduled towns.

Amendment moved, in page 2, line 19, after ("who") to insert ("in any place from which returns are required

to be made under this Act").—(*The Earl Cadogan.*)

Amendment agreed to.

EARL CADOGAN: The next Amendment, in line 26, is for the purpose of extending to a company or persons who employ a market clerk as auctioneer, the liability to comply with the requirements of the Act.

Amendment moved, in line 26, leave out ("he") and insert ("the auctioneer, or if he is in the employment of any person, the person by whom he is employed"). (*The Earl Cadogan.*)

Amendment agreed to.

Clause 4 as amended, and Clause 5 agreed to.

Clause 6, and schedule, agreed to, with verbal Amendments.

Bill recommitted to the Standing Committee; and to be printed as amended. (No. 243.)

AGRICULTURE (IRELAND.)

*THE MARQUESS OF WATERFORD, in putting the question on the Notice Paper in his name, "Whether Her Majesty's Government have considered the immense benefit that might be derived by organised assistance to agriculture in Ireland; and whether, for that purpose, they propose to establish an agricultural department for that country," said: My Lords, before I ask Her Majesty's Government the question which stands in my name, I should like to say a very few words with regard to the reason why I put this question. Your Lordships are aware that in Ireland, as the noble Duke (the Duke of Argyll) stated the other night, large numbers of landlords will certainly from time to time leave the country, in consequence of the fact that their properties will have been sold, and there will be no great inducement for them to remain. I hope sincerely, however, that a very large number will remain, but there is no doubt that many will leave Ireland. Then there is another thing which I will point out to your Lordships; that is, that the landlords have had no inducement to try and improve the agriculture of the country since the Act of 1881 was passed. That which has been called the "unearned increment" has been taken away from the landlords. I believe that since the Act of 1881 was passed, hardly any money has been laid out in improvements in the way of buildings or otherwise, whereas large sums were laid out before that time. A great deal was done in Ireland by the landlords to encourage the breeding of stock, and to improve every class of agriculture. All inducements to do anything of that sort has been swept away, and now that many of the landlords are likely to leave the country, there is no possibility that anything of that sort will be resuscitated. At one time in Ireland, I can remember it well, every small locality had its Agricultural Show, as is the case in England; but now nothing of the kind takes place. We have to depend upon the Dublin Royal Agricultural Society, which has no doubt done excellent work, but it is not sufficient for the purpose, and, therefore, I propose to ask Her Majesty's Government whether they are prepared to give assistance to agriculture now by establishing a Department for that purpose. There is a Bill which has just been dealt with by your Lordships at the instance of my noble Friend below me (Earl Cadogan)—the Markets and Fairs (Weighing of Cattle) Bill. In that Bill the Land Commission is named as the market authority. Several noble Lords asked me, when the Bill was read a second time, why the Land Commission was named, and I informed them that the Land Commission was named because, under the Act of 1887, the Land Commission was empowered to find out prices throughout Ireland for the purpose of working that Bill. This had the effect of establishing an unpaid Agricultural Department in Ireland, and, of course, an unpaid Department not authorised by the State cannot do all that is required. I am, therefore, anxious that Her Majesty's Government should make a Parliamentary Grant to establish the Land Commission for this purpose, and should recognise it as an Agricultural Department. I daresay your Lordships are aware of some of the work which the Land Commission has done with regard to agriculture. I would draw your Lordships' attention to a thing which is going on throughout the country weekly, that

is the publication of prices. That is done by the Land Commission, and it has been very useful work. I believe there is nothing that can be more useful to the farmer than the weighing of cattle, and I think that a thorough knowledge of the subject is necessary to be given to tenants in Ireland. The Land Commission has published a number of pamphlets and leaflets, and the inspectors have induced the farmers, as far as they can, to take up this admirable system, which prevents them from being cheated by the butchers, who have every opportunity of knowing the weight of cattle better than themselves. That is one thing the Land Commission has done. It has also published Reports as to the state of crops and the prices of all classes of corn and produce in the different districts. Well, that is the work of an Agricultural Department; but it has been done by the Land Commission. In addition to that, Her Majesty's Government, when they wanted to know what was going on in the distressed districts last year with regard to the potato famine, called upon the Laud Commission to find out and report, and the Land Commission sent down Inspectors to ascertain the state of affairs in those distressed districts. The Land Commission have circulated one of the cleverest leaflets upon the potato disease that has been issued as yet. All that work is most useful for agriculture in Ireland, and I am sure it will well repay any Government who takes it up. There are some other things which this department has done. It has, by its officers, also inspected the seed potatoes given in distressed localities, and it has looked over the supply of seed potatoes under the Act of 1890. Of course, all that is proper work for a Government Agricultural Department. That is all I want to obtain. I want such a Department to be established under Government, for, believe me, there is necessity for it, for there are no people who require teaching and encouragement to improve so much as the farmers of Ireland. I would point out to your Lordships that under the Bill which has lately passed your Lordships' House—the Land Purchase and Congested Districts Bill—the working of that Bill is thrown upon the Land Commission. Now, what will the Land Commission have to do? It will have to provide sires of all classes of stock in those districts; it will have to instruct the farmers as to dairying, as to the produce of poultry, and as to every form of agriculture. In addition, there is a particular clause in the Bill for supplying seed potatoes to the different localities, and in fact it has to do everything in those districts for the promotion of agriculture and cultivation. I think, therefore, this is distinctly pointed out as the proper Department to be named as the Agricultural Department in Ireland. Some noble Lords have asked me whether I wished to establish an Agricultural Department as opposed to the Dublin Society. Nothing of the sort ever came into my mind. I wish the Agricultural Department in Ireland to act with the Royal Dublin Society. You have a Royal Agricultural Society in England, and the Department presided over by my right hon. Friend Mr. Chaplin does not run counter to the Royal Agricultural Society. Then why should this Department run in any way counter to the Dublin Society? There is a great deal of other work that may be done. There is a great deal of work in the future, and if your Lordships wish any good to be done in the way of agriculture in Ireland, it is absolutely necessary that some Government Department should come forward to take the place of the landlords who have been driven out by the Act of 1881. They have been rendered useless as to the improvement of agriculture by that Act, and it is necessary, as Parliament has passed such an Act, that the Government should come forward and constitute some body to take their place. I think the farmers in Ireland would be most anxious to take advantage of such opportunities, which would be of the greatest benefit to them, and I am sure that in another place any proposal which would tend to teach agriculture in Ireland by a Parliamentary grant, and to improve the most important industry in the country, would be most welcome, and I therefore hope my noble Friend below me will be able to give a satisfactory answer to my question.

EARL CADOGAN: My Lords, nobody can be surprised that my noble Friend, who is so interested in everything connected with agriculture in Ireland,

should have asked the question of which he has given notice. I am afraid I am hardly able to go as far as he would wish in my reply, and that therefore perhaps he will not consider my answer entirely satisfactory; but I can only say Her Majesty's Government do fully recognise the necessity of organising assistance to agriculture in Ireland; and they are at this moment considering what measures they can adopt in that direction. But I am afraid that I cannot at present announce that the Government are prepared to establish, as the noble Marquess suggests, an Agricultural Department in that country. As the noble Marquess has said, the Government have, in connection with the Irish Land Commission, organised already a Land Department, which has so far done good work, and which, in the opinion of Her Majesty's Government, appears to be fitted to perform the functions, or, at all events, some of the functions, in connection with agriculture. I may, perhaps, inform my noble Friend that some correspondence has taken place on this subject, and if he desires it, and will move for it, there is no objection to laying the whole of the correspondence on the Table of the House.

*THE MARQUESS OF WATERFORD: Then, my Lords, I beg to move for that correspondence.

Motion agreed to,

"Any correspondence which may have taken place on the subject of the development of agriculture in Ireland: Ordered to be laid before the House."—(*The Lord Tyrone* [*M. Waterford*].)

WIMBLEDON REVIEW.

QUESTION—OBSERVATIONS.

EARL WEMYSS, in rising to call attention to the absence of Volunteer artillery at the recent Wimbledon Review, and to ask the reason why, said: I know your Lordships are naturally anxious to get into Committee on the Education Bill, but I pray your Lordships for a few moments while I refer to this question of the Volunteer Artillery, as so much of the national safety depends on the existence and prosperity of that branch of the Volunteer Force. It may appear to some captious and uncalled-for to allude to what I think a very great omission on the occasion of the Review before the German Emperor at Wimbledon last Saturday week, but unquestionably there was then a very marked omission. At that composite Review, composed of a portion of the Regular Army and also of the Volunteer Force, the Regular Army marched past in full panoply—horse, foot, and artillery; the Volunteers marched past in battalions, without any artillery at all. Now, let me ask, what was the object of this Review? I believe it was held at the anxious desire of the Emperor, to enable him to judge, with his critical eye, and to enable his military staff, with their critical eyes, to judge of the efficiency of our Volunteer Force. I believe he was perfectly satisfied as regards the efficiency of the battalions that passed before him, as regards the physique, discipline, and general conduct. That he was pleased with the general character of the troops which passed before him, I believe there can be no doubt, for he has so expressed himself on more than one occasion, both publicly and privately. But there was, I maintain—and so it appears to many who are interested in the force—a very grave omission in not showing the Emperor that this Volunteer force was something more than a mere body of infantry, and that they have at their back a considerable force of artillery. We all know in these days that an army without artillery is comparatively helpless; and, mark this, the Emperor and his staff knew as well as anybody in this country knows, who may be consulted about it, that you cannot look to the regular army and artillery to supply the wants of the Volunteers and Militia as regards artillery. There is hardly enough of artillery at the present time, in case of war, for the army and the army reserve. Now, I want to know why this omission took place at the late Review. The present Government cannot have wished to hide them, for they have been, much to their credit, cultivating this force of artillery, and I can conceive no other than two possible grounds for the omission: one was the cost, and the other was want of space. I will put the question of cost aside, for it is impossible that it would have cost any great expense to bring up these batteries, or some of them. It is impossible that can have been the reason. It would have been better if there had been present

even one battery of a force which, I believe, is unique in the world—heavy guns, 40-pounders, drawn by farm horses, driven by teamsters on foot, in their smock-frocks. I venture to say that if such a battery, or even one gun, could have been brought up as a sample, it could not have failed to impress the Emperor and his staff with the great capabilities which exist in this country of bringing an effective artillery into the field, an artillery which would crush, from the comparative range and power of the 40-pounders, any fire that could be brought to bear against them. Now I come to the question of space. I cannot but believe that if the whole force had been there, by a little arrangement, space could have been found. I will except the space which was enclosed, and suppose that no flat ground further than that was available there, and that there was not space within the enclosure, in addition to the troops there massed, cavalry, infantry, and royal artillery, for Volunteer Artillery. But there was the whole county of Surrey outside. There is that long triangular common outside Wimbledon where those guns could have been massed, at any rate a battery of them or more, and they could have been brought forward at the proper moment to have marched past the Emperor at the rear of the force. I have said I am surprised that Her Majesty's Government did not somehow or other insist upon its being done. Upon their objections and the use of the word "impossible," which ought not to exist in the case of any great public department, I would point out that the present Secretary of State for War, speaking in Lincolnshire in April last, I think, talked of the revival of the Volunteer Artillery "field and light guns," and of those being, as he expressed it, "a tremendous experiment." It is no experiment at all. It is very strange the treatment which from the first the Volunteer Artillery has received from the military authorities. I hold here a few short extracts which I have made from a general statement made to me as to the force of Volunteer Artillery that existed in the year 1862, and for a few years afterwards. As regards light artillery, there were three 6-pounders at the review of 1862, under Lord Clyde, besides 12 guns of position, 40-pounders; but in 1863 there were 30 guns in the force, of which Lord William Paulett had the command, 10 heavy and 20 light, and he said they surpassed his expectations. A Royal Commission had recommended in the previous year the extension of that force. In 1865 Sir Robert Walpole, who commanded at the Easter Review, where there were 46 guns, 26 light and 20 heavy, praised the working of the light guns. In 1866 the Duke of Cambridge at a review said the guns which were on the ground were all in good order. In the same year Sir Richard Garrett spoke in high terms of the manœuvring of the artillery over ground which was difficult for artillery to work on. But in 1866 a dead set was made in the papers against this Volunteer Artillery. In the *Army and Navy Gazette* articles were written against it, and the military critic of the *Times*, Sir Chas. Brackenbury, made assaults upon it. Notwithstanding that, they continued till 1871. That is the last record we have of the appearance of Volunteer Artillery at the Easter Review, both light and heavy. At that review there were 52 guns, and of those 32 were light field-pieces, the remainder being heavy guns. Sir Hope Grant commanded, and he reported that notwithstanding their condition the Volunteer Field Artillery should be solely confined to garrison duty. On the strength of that report I suppose, and on the strength of the dead-set which had been made against the Volunteer Artillery, about two or three years afterwards it was abolished. There was no question of its existence or its fitness; it had proved its ability to do its work, and I venture to question the soundness of the view taken by my right hon. Friend the Secretary of State for War, when he says that in doing this which is of great public service to the nation, the Government are undertaking "a tremendous experiment." I have shown you that from 1862 down to 1873 this experiment has been tried and carried out with signal success. We have now revived this great force, and I think the omission to which I call your Lordships' attention is very unfortunate. I regret it for the two causes I have named. One is that by their not being present the Emperor has only half an idea of what the character of this defensive force is. Again,

I regret that this force was not shown on that occasion, as it would have tended to show the public also what that force could do, and what has been the result of the action of the Government in the establishment of this very effective artillery force for home defence. It was not for want of pressure, for I know my noble Friend on my right who commands the oldest corps in the country, the Hon. Artillery Company, pressed the Government to find room for the few guns they have, and he received the answer which I expect I shall receive, that there was no space; but, as I say, a little arrangement might have made that space, and rendered this Review more complete than it was, successful though it might have been.

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, I should like to point out in the first place that the question put by the noble Earl on the cross-benches is not quite on all fours with the speech he has made. His question is to call attention to the absence of Volunteer Artillery at the Wimbledon review. His speech asks really why the Volunteer Artillery had not their guns present at the review; that is not quite the same thing. I should like to inform the House so far from there having been no artillery present, as a matter of fact 1,219 Volunteer Artillerymen were on the ground, and marched past the Emperor.

EARL WEMYSS: I meant guns.

EARL BROWNLOW: I do not wish to take refuge behind a verbal criticism. I merely mention that to show that there was no wish on the part of the authorities to pass over the artillery as a branch of the Service. I now come to the question which the noble Lord really puts, which is, Why the guns were not present on that occasion. The noble Lord is quite right in supposing that the question of cost had nothing to do with the matter. It would not have been very serious; and on an occasion when the desire was to show the Emperor all that he could see, of course, that small question of expense was not for one moment to be considered. The noble Earl is perfectly right in supposing that the real reason why it was considered by the military authorities not advisable to have guns present on that occasion was the question of space. It having been decided (whether rightly or wrongly is merely a matter of opinion) to hold the review at Wimbledon, that made it necessary the review should be held in a somewhat restricted area. It was impossible to know beforehand for certain the exact number of men there would be on the ground, and some small margin had to be left in case more should come than the numbers that were sent in; and, in fact, that was the case. There were more present than the numbers which had been sent in, and I am informed there was very little spare space anywhere, and that in some cases the troops were somewhat crowded. The noble Earl says there was a whole county behind in which the artillery might have been placed, and then brought up and marched past, as I understand him, after the infantry had gone by. I cannot think this would have been advisable. In the first place the artillery have their own position, which they are proud of, and I do not think they would have liked to be placed in a position which does not belong to them. There is another thing of which your Lordships are aware; a great review of this sort is a question of measurement. The size of the ground has to be measured, the position of the troops has to be allocated, and the time for marching past carefully calculated. If the artillery had been placed somewhere at a distance, the chances are, after the infantry had marched past the Emperor, he would have had to be informed that some artillery were coming from some other place in the county of Surrey, and that if he would be good enough to wait they also would march past. I venture to think that is not a state of things which would have impressed the Emperor of Germany on this occasion, nor do I think the artillery would have been willing to have brought up the rear of a review which was otherwise in every way successful. This is the real reason why it was thought desirable not to have Volunteer artillery present. But I must say, with regard to the old and distinguished corps which my noble Friend has mentioned,

commanded by my noble Friend opposite, the Hon. Artillery Company, they, properly speaking, are not technically Volunteers; they have their own place in the Army List; they derive their position from an ancient charter, a position of which they are exceedingly proud, and although they have met the wishes of the authorities in every way possible by conforming to the requirements in nearly every respect with regard to discipline and all other matters, and are as nearly as possible in conformity with the Volunteers, still they are not technically Volunteers. On this occasion the Honourable Artillery Company wished to appear on the ground with their guns, and I can only say it was out of no disrespect to them whatever it was considered desirable they should not appear. The only reason was, it having been absolutely decided that no guns should appear on the ground, it would have been invidious to allow the Honourable Artillery Company to appear and not the others. I am perfectly aware it is impossible to please everybody in a matter of this sort. This review was a military display intended to meet the wishes of His Imperial Majesty. Your Lordships are aware that during His Majesty's visit to England his time was very much taken up. On that very afternoon, he had other engagements directly after the review, and the time occupied, if artillery had been on the ground, would have been somewhat lengthened. I do not press this as the real point; it is only an additional reason for not having artillery on the ground. As far as the military part of the review went, I have every reason to believe it was successful; at any rate, the Emperor, for whose benefit it was held, has expressed his complete satisfaction with the appearance and efficiency of the Volunteer troops he saw that day. There is one more word I should like to say before I sit down about the Honourable Artillery Company. The Honourable Artillery Company have made great efforts lately to improve their military position; they have made great changes, and they have met the authorities in every possible way. I merely say this because I trust that the noble Lord who commands them will not suppose for one moment they were left out from any disrespect or any want of feeling for them.

ELEMENTARY EDUCATION BILL.

(No. 224.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*LORD NORTON: My Lords, if I may be allowed a very few minutes before we go into Committee, I think I can point out to your Lordships what will be worth your consideration. The Bill was discussed beside its main feature during the Debate on the Second Reading. Only one speaker, that was the noble Duke (the Duke of Argyll), laid any stress at all upon what is the main distinctive feature of this Bill, namely, that it introduces for the first time free, or rather I should say State, education in the great majority of our national schools. The Bill was discussed upon other points, chiefly upon the cost of the schools, or upon the interests of voluntary schools, or upon a very important point—the interests of religious education. The noble Viscount (the Lord President of the Council) called it a continuation of the Act of 1870. It is anything but that. I saw it stated in a leading paper the other day that the great distinction between this Bill and the Act of 1870 was that this Bill introduced no new principle, whereas the Act of 1870 introduced a new principle. The exact reverse is the truth. The Act of 1870 introduced no new principle, but merely supplemented that which had gone before. This Bill introduces a totally new principle, which must have a very considerable effect upon our system of national education. What is the new principle? Why, simply this: the compulsory extinction of all parental contribution to the education of their children in the greatest number of our national schools. After this Bill becomes an Act, no school which has hitherto charged fees of 3d. a week, or less, can charge any fee whatsoever upon any parents. There are tradesmen and farmers among those parents, and a great number of them are men who are perfectly able and perfectly willing to contribute to their children's education, and who consider it rather a disgrace that they should not contri-

bute anything. But under this Bill, all those schools which have hitherto charged 3d. a week and less, which are the largest number of schools throughout the kingdom, will be what are called free schools. The word "free" in connection with education has a very peculiar meaning. It means what is paid for by all alike, whether they make use of the school or not, whether they be parents who have children to send to school, or whether they are without children, and, therefore, do not make use of the schools at all, all are to pay alike in general taxation for the schools. But the essential point is that that is a payment indirect and unconscious, and, therefore, it does not in the slightest degree enlist the independent action of the parent in the bringing up of his child, or any individual sense of interest in the parent's mind for the child's education. Now that will have a very material effect not only upon education, but upon the spirit and character of the country. It was said by the noble Viscount, and, I think also, by the right reverend Prelate, the Bishop of London, that, after all, the schools would not be free, because the parents would be contributing practically the lost earnings of their children. This argument for free education is that the education would not be free. That kind of contribution is certainly not calculated to enlist the parent's interest in the education of his child. But, besides that, no parent of the working class ought to keep his child at school after the time when he ought to be going out to his apprenticeship to work, and within that period, so far from a loss of the child's earnings, it is a mere postponement of the child's earnings, which will be much higher in consequence of the education which he gets in the elementary schools. Therefore, the argument falls entirely to the ground. Then it was said also that the State pays already a great part of the cost of education, and therefore it is a mere question of degree if they determine to pay the whole. There can hardly be a greater mistake. In the first place, the cost to the State and the part the parents pay towards it, are not payments *ejusdem generis*. It is the fee, however small, that has the effect of independent action in the parent's education of his child, and also enlisting his interest in it. I observed that Dr. Lyon Playfair, in the debate in the other House, actually made use of this argument for representation in the management of the voluntary schools, to restore the interest of parents in their children which State education must necessarily destroy. I believe myself he was perfectly right, that it will be extremely difficult to compel the attendance of these children when nothing is charged for their education. What nothing is charged for is thought to be worth nothing. I know that from colonising experience. When land was offered in the Colonies for nothing, nobody came forward to take it, but if a mere shilling an acre was asked, the office was crowded with applicants the next day. These fees of 1d. or 2d. a week are necessary for giving to the parent an independent interest in the education of his child, The last and lowest argument of all is that what the State compels to be done the State must pay for. Only compare that with the old sentiment which we have so long been accustomed to, that "England expects every man to do his duty." That is not to pay for it; but to fine him for neglect. We should not only not pay the parents' fee, but fine him for neglecting his child's education. The very poor only should be paid for. People look upon money which comes from the Treasury as if it came from heaven. I heard it said in the County Councils, when the Government threw broadcast half a million of money among them last year, there were a great many who did not know what to do with it, but they said, "It is a gift: do not let us drop it." Anything coming from the Treasury is looked upon as a gift. I believe that is a symptom of national decay, this continual looking to the public purse, and I think that this is another step towards Socialism, that the people should look upon the State as a sort of educator general. This is called a Bill for "free education," and it was talked of as a boon to the people. It is not a measure of free education unless completely carried out, and then it will be no boon to workmen to pay for higher education. But that it will be carried out to the fullest extent we know perfectly well, for it has

not been concealed that that is the eager intention on all sides. The London School Board has already met and discussed the question, and by a majority carried a resolution that when this Bill is passed all their schools will be thrown open perfectly free from the 1st of September, when this Bill comes into operation. The Government themselves played into that feeling when they so easily adopted the extension of the age from 14 to 15, including in the provisions of State education secondary as well as elementary education. The real gist of the Bill is, therefore, State education throughout the country, sooner or later—it may take a year or two to carry it out, but it must come—State education, without limit of age or standard, throughout the whole of this country. Points of detail in this Bill—the 17s. 6d. limit, and things of that sort—are very minor considerations to this very large change which is introduced in the education of this country. State education in Germany has not produced the kind of people that our national education in England does. The habit in that country to look to the Government, and the habit in this country to look to ourselves, make all the difference. One more word: it is said that after this Bill is passed, these free schools will only be used by the poorer classes; that the better class of artisans, for sake of exclusiveness, will educate their children at fee-paid, or some kind of private school, and that that has been the result in America. But is that a satisfactory state of things, that we should in the first place have unlimited taxation, in order to induce the working classes to give secondary education to their children, and to keep them away from the work which is really their secondary education, and that the better class of artisans shall not only be taxed for that, but should, besides, have to provide secondary education for their own children, at their own expense? I only wish to point out the gist of the Bill, which I think has not been discussed yet. As to attempting to check the Bill, I have not the least intention of attempting anything so hopeless. The Bill is equally supported upon opposite principles by both sides. I think the noble Viscount said it was "curiously opposed" by both sides. I say it is curiously supported by both sides—upon one side to avert something further and worse, and by the other side, to rush into the opening so given for the purpose of the other's destruction. I think myself that complete State education—both on the ground of what it will be compelled to adopt as education, and still more from what it will be compelled to omit as education—in this country is not desirable.

*LORD STANLEY OF ALDERLEY: My Lords, I only desire to say that I think the speech with which the Lord President introduced this measure will do much to conciliate those who have an objection to this Bill, on account of its absence of principle; and the plea of political necessity which has been put forward by and on behalf of the Government received, I think, a complete justification in the speech of the noble Earl which followed. No one will doubt the sincerity of the Lord President, when he stated to the deputation which waited on him a short time ago that he would not have brought up this Bill if he had thought it would do anything to injure the voluntary schools. But that is a matter of conjecture, the result of which time will show. But there is another matter which is conjectural too, and that is the amount of loss or gain of support which it will bring to Her Majesty's Government. Those who most object to this Bill may, however, be driven to continue their support by the successful administration of foreign affairs by the noble Marquess at the head of the Government. There is one other question which I should desire to call your Lordships' attention to, and that is that in a public manner the noble Marquess has spoken of this, not as free, but as assisted education. I think the recent vote of the London School Board to abolish all fees in their schools, is a slap in the face to the Bill, and also it may be said, to Her Majesty's Government. But this is a point which will, I imagine, be put right by the proposal of the right rev. Prelate (the Bishop of London); but should it not be so, if the London School Board continue unchecked, Her Majesty's Government will, I think, find themselves obliged to bring in a Bill for its suppression, and to conduct the management of

their schools by a department of the Education Office.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, the two speeches which have been made do not seem to me to vary the principle which was stated in the second reading. I knew that the noble Lord near me entertained objections to this Bill, and I supposed that he would presage all kinds of calamities from its operation. But I will only ask your Lordships, in going into Committee, to remember that the Session is wearing late, and that there are a number of Amendments put down which are really meant, I think, to a great extent to polish the form of the Bill. I only hope that Amendments merely for that purpose will not be pressed, because the Bill has been drafted with great care by a skilful Parliamentary draftsman, and though some of those Amendments, if adopted, might probably alter the language expressed in the Bill for the better, I hope they will not be pressed in such a way as to render it dubious whether the other House would accept them.

On Question agreed to.

House in Committee accordingly.

Clause 1.

LORD EGERTON OF TATTON: My Lords, I have proposed an Amendment in Clause 1 in order to provide that the payment should be made quarterly. There is a very strong feeling in the North of England that the payment should be made quarterly, and not only that, but in another place a promise was made that that intention should be carried out by the insertion of a provision in the Bill. I do not know whether this is the proper place, or whether it should come in later down in the clause as moved by the right rev. Prelate, the Bishop of London; but I would urge upon Her Majesty's Government, if possible, to comply with this feeling, which is one, I think, with which they can comply without in any way altering the character of the Bill. As the Lord President said, it was impossible for this House to discuss the point when he received the deputation which I had the honour to introduce; but there is a feeling in the North of England, in many towns, that this Bill would create some difficulty without the maintenance of the denominational schools in competition with these new free schools. I trust Her Majesty's Government will consider this matter, and that in any Amendments which follow they will endeavour to meet the views of the supporters of the denominational schools in the north of England, who feel that, in some portions of this Bill which your Lordships cannot discuss, they may be somewhat hardly treated, looking at the management and treatment of the denominational schools in the South of England. I hope Her Majesty's Government will give this matter their consideration, and if necessary, deal with it on report.

Amendment moved, in Clause 1, page 1, line 5, after "paid" to insert "quarterly."—(*The Lord Egerton of Tatton.*)

*VISCOUNT CRANBROOK: I am quite willing that each school should be paid what it earns, and I am desirous that attention should be given to the circumstances of each case. It is very natural that the noble Lord and the right rev. Prelate should think it desirable to provide for the quarterly payment in the Bill; and I would point out that, if they put that in, it will be to the detriment of the very schools they wish to benefit. Suppose that in October a school has been open only for a month; the result would be that it would get no payment until the next quarter, which would be two months afterwards. Under the Bill it will get its first payment after inspection, and from that time they will be paid quarterly. The years do not run in the same way for all schools, but from the time of inspection each school gets paid according to its means. I can give the noble Lord and the right rev. Prelate a distinct pledge upon that subject, that though they will only be paid as mentioned, they will afterwards be regularly paid as they desire. It cannot be paid as the right rev. Prelate in his Amendment suggests, in advance, for it is impossible to foresee what number of scholars will be in average attendance, but at the end of the year there will, if necessary, be an adjustment of the payments, so that too

much or too little may not be paid in the year. I assure my noble Friend that such an Amendment would injure instead of benefiting these schools, and that we are quite ready to pay in the first instance when the money is earned, going on with the payments afterwards quarterly.

Amendment (by leave of the Committee) withdrawn.

*THE BISHOP OF LONDON: My Lords, I am much obliged to the Lord President for his explanation. It was not quite clear when it was promised that the grant should be paid quarterly, what was meant by its being paid quarterly. I supposed, as the Act was to commence on the 1st of September, the first quarterly payment would be made three months after that date, and that then it would go on three months after that date again, and so on; but, as I understand from the Lord President now, it is not intended to pay it in that way, but to make arrangements by which it will be paid quarterly in the school year of each school. That is a much more intelligible plan, and I quite agree if that is to be the arrangement for all the schools, it will be, as far as it goes, satisfactory. But still it is not perfectly clear; and I would suggest that the Lord President should add to his explanation some words to show what is really meant, and and what will be the case when the Act begins on the 1st of September, if it happens that the school year begins on the 1st of October. Will the fee grant be paid for the month and thenceforward quarterly, or will it wait until four months have elapsed and then be paid quarterly?

Amendment moved,

In Clause 1, Sub-section 1, line 10, after ("10s. a year") to insert ("payable quarterly in advance.")—(*The Lord Bishop of London.*).

*VISCOUNT CRANBROOK: I have stated what would take place if there was an inspection of the school in October. If there was an inspection in November, two months would be paid for. That, I think, answers the question which the right rev. Prelate asks.

*THE BISHOP OF LONDON: Then with regard to the payment in advance, I put this Amendment down in order to ask the attention of the Government to what is a matter of justice. The case of these schools is this: At the beginning of the school year they have a fair balance to go on with. They get their subscriptions tolerably early in the course of the year; and they get their school-pence certainly in advance all through the year. The Government grant does not come until the close of the year, amounting, as it does in most cases, to half the income of the school. The consequence is that the normal condition of those schools is one of some difficulty; for the first eight months they go on tolerably well, but for the last four months they are in a chronic state of debt; and the only thing that keeps them going is the school-pence of the children. If you are to be strictly just, and to make the fee-grant a substitute for the school-pence, the fee grant ought to be paid in advance as much as the school-pence; otherwise you add to the difficulty. Again, the difficulty is increased by this fact, that when the schools borrow money for the last four months of the school year, as many of them are obliged to do, they are not allowed to charge, as part of the expenditure of the school, the interest they have to pay upon that money. There are, of course, some bankers who are willing to let them have the money without charging interest, but there are a considerable number, of course, who are not willing to do so; and I know cases where schools have been considerably embarrassed because of the difficulty in borrowing this money. It is certainly rather hard upon them, I submit to your Lordships, though I will not argue the question of principle now, that this expenditure which must be borne by them when they borrow money, namely, the payment of interest upon it, they are not allowed to charge. If the Government could so arrange their payments as to meet this difficulty I must say they would be doing no more than justice to those schools. I put down this Amendment for the purpose of obtaining a clear explanation of how this will work, and I do not at all desire to press it to the embarrassment of the Government, or in any way whatever to the detriment of the Bill. I venture to think, however, that paying people in advance is not likely to hurt them.

*VISCOUNT CRANBROOK: That is not the point, as I think the right rev. Prelate will see. The point is that they are only to be paid for the last three months. They are paid upon the average attendance, and there must be time for that purpose. It seems unavoidable, and there must always be that difficulty. I hope the right rev. Prelate will not press the Amendment.

Amendment (by leave of the Committee) withdrawn.

*LORD LINGEN: My Lords, I will do my utmost to observe the advice which the noble Lord—the Lord President of the Council—has given, that unnecessary and verbal Amendments, as far as any may be down in my name, should not be pressed. I venture to think, however, that the substitution of the words "average number in attendance" for "average attendance" is somewhat more than a verbal Amendment, for when in 1860 a considerable change was made in the former Minutes of the Council, and the grants came to depend upon the number of children attending and upon the length of attendance of particular children, we had to go rather minutely into this question, and to lay down rules how those numbers should be ascertained. I venture to think, for the purpose of calculating this 10s. grant, the average number of children in attendance is the basis which it is necessary to take. It is 22 years since I was at the Education Department, but certainly in my day we should have understood by the "average attendance" the number of days which each child had attended if he attended at all during the year. Having stated that I think this is a point which it is desirable to clear up, I am quite content to leave the matter in the hands of the Lord President, if he prefers the words in the clause as it now stands.

*VISCOUNT CRANBROOK: The words have been considered. It is thoroughly understood what is meant by "the children in average attendance," and there will be found a statement in the interpretation clause which gives the meaning of the phrase under the Code.

*LORD LINGEN: I do not desire to press the Amendment.

Amendment (by leave of the Committee) withdrawn.

*LORD SANDFORD: My Lords, the object of my first Amendment is to secure as far as possible that the new grants given by this Bill should neither be taken advantage of for the purpose of further interference with the organisation and course of instruction of our elementary schools, which has already made too great progress under the ambitious Codes of late years, nor so used as to delay the coming reform of our system of secondary education to which the noble Viscount (the Lord President), when moving the Second Reading, referred as impending. I am afraid that the extension, as proposed by the Bill, of the system of fee grants to children up to the age of 15 years will have the mischievous effect which I point out. It is now 25 years since a very strong Educational Commission, the Schools Inquiry Commission, laid down what I may call certain educational canons. One of those canons referred to the differentiation of the various grades of schools—elementary, secondary, and higher—according to the ages of the children attending. The Commissioners defined elementary schools in respect of the age of scholars as those which children were to attend up to the age of 14; secondary schools as schools which they were to attend up to the age of 16; and the higher schools as for scholars up to 18 or 19. They did not mean, as many have supposed, that a boy was to remain at an elementary school until the age of 14, and then pass on to the secondary school, where he was to continue his education to 16, and then pass up to the higher school; but as your Lordships are aware that boys are admitted to Harrow or Rugby at 14 or 15, so the proper age of migration from the elementary to the secondary schools was fixed by them at 11 or 12. According to that rule, the work of the revision of many hundreds of secondary schools by the Endowed Schools Commissioners during the last 21 years has been carried on. Now, what does this Bill do by continuing the payment of fees for scholars in chemistry schools up to the age of 15? According to the Code at present a boy may remain and be paid for under the Code until he is 14 and has also passed the 7th

Standard. If he has not passed the 7th Standard he may remain in the school, and grants may be paid for him until he is even 16 or 17. He ought properly to pass the 7th Standard by the age of 13. The Code therefore allows him an extra year to complete his curriculum. Then comes in this Bill which carries on his instruction under that Standard of the Code for three years; that is, it gives the scholar the 3 years, from 12 to 15, in which to complete the course which he ought to finish at 13. I should like to refer to the class of children who are found in elementary schools upwards of 14 years of age. They are either dullards, who have not been able to pass their proper standard with two years' instruction instead of one; or they are children of well-to-do parents who wish their children to remain at the schools, and are very well able to pay for them; or, in the third place, they are scholars who are enabled to attend school by means of exhibitions. Now, if these last boys are clever boys I think they ought not to be encouraged to remain at elementary schools, but should pass on to secondary schools at 12 with the aid of exhibitions. If they are the children of parents who can well afford to pay for them, I think the parents ought to do so without a fee grant. If they are dullards, instead of remaining two years longer at school the sooner they get to work the better. I have been asked, "Why do you grudge the £16,000 or £17,000 which will be required to carry out the 15 age clause, when you accept so gratefully the £160,000 required to give free education to children between three and five." The education of children between three and five is sound in principle, I think, because these little blessings, as they are called, who attend infant schools at that age often do receive in them a considerable amount of valuable instruction. They learn a little, indeed a good deal, under the modern system of infant inspection; while good manners, good habits, and obedience are inculcated in them. Beyond that, the fact that they are enabled to be kept at school and paid for there frees their elder brothers and sisters from the necessity of having to stay at home to look after them in case the bread winner, who goes to work, is either a widow or widower. As I have just said, I think the proposal to give £16,000 or £17,000 to retain the elder class of scholars at school is fallacious, because if they are clever they ought to be advanced to a secondary school at 12, and if they are stupid the sooner they go to work the better after they are 14. It is very curious how, in the course of the Debates on this Bill—not only in this House, but in the other House of Parliament — reference has been made to free education in France, America, Victoria, and other parts of the world; but no one seems to have remembered that we have had for the last two years a system of free education going on in this country under the superintendence of two noble Peers whom I see sitting in this House, one being the Lord President of the Council himself. Not a single fact has been told you, not a single lesson has been drawn from the results of this free education in Scotland; but something rather singular, and bearing upon the question now before this House, has just happened there. When this Bill was altered in the House of Commons, by the extension of the age for fee-grants from 14 to 15, several Scotch Members moved that a Minute recently issued by the Scotch Education Department should be altered so as to raise from 14 to 15 the age to which free education should be given in Scotland. The Minute had fixed the limit of age at 14 when this Bill was introduced into the House of Commons, with the age of 14 as the maximum. Within the last few days representations have been made to the Department by several large School Boards in Scotland entreating the Department to stick to the age of 14, and not to raise it to 15; and why? because, my Lords, secondary education is in the air in Scotland; and the advocates of it are numerous. I believe they are even now knocking at the Treasury door, and that a measure on this subject is not merely receiving Government attention or consideration, but that it is under serious consideration, and we all know what that means. The reason for retaining 14 as the maximum limit of fee grants is this: the Educational authorities in Scotland do not wish that the re-organisation of the system of secondary education in that country should be delayed by the introduction

of, what I may call, a bastard system of secondary education by the prolongation of the attendance of scholars in elementary schools up to 15. I hope, after what the noble Viscount the Lord President said, in moving the Second Reading of the Bill, as to the reform of our secondary system, and in view of the feeling existing with regard to it in this country, he will not object to this Amendment.

Moved, in page 1, line 11, to leave out ("fifteen") and insert ("fourteen").—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: My Lords, I am very glad to hear the voice of the noble Lord for the first time in this House, especially on a subject upon which he is so very well qualified to speak. With regard to the Amendment he has proposed, I must adhere to what I said upon the Second Reading, that this limit was fixed after a long discussion, when it was proposed to carry the extension of the age very much further. This age was accepted as a compromise by my colleagues in the other House, and I should not feel myself justified in any way to depart from the engagement which they then made. No doubt the age of 14 is not at present a bar to receiving grants under the Education Code, if the child over 14 has not passed the Seventh Standard. But now the peculiar circumstance will exist that a child over 14 may be receiving fee-grants, having passed the Seventh Standard, but will not receive the other grants. That being so, I think the harm which might be done by it will be much minimised, and on that ground I think there is no reason why I should withdraw from the position that has been taken.

*THE BISHOP OF LONDON: I cannot quite see how the mischief will be miminised in the way the noble Viscount the Lord President suggests, because the result will be that the particular school will have to bear the burden of the education of these children without getting any of the grants; and the boys themselves will get this education for nothing. It does not seem to me that is very likely to work well for the schools, though it may work very well, possibly, for the boys. I do not know whether the noble Lord means to go to a Division upon the point, but for myself I feel very strongly indeed that the importance of this matter with regard to secondary education is so great that if we do go to a Division I must vote for the Amendment, because I do believe that we are actually suffering very much from the want of real organisation of our secondary instruction; and I believe all such changes as are proposed here are in the direction of postponing the organisation of secondary education, putting it further off, and hampering it when the time for it arrives. It will be exceedingly difficult to make a good system of secondary education if before that time you have already broken into it by all sorts of systems of providing for the boys in all sorts of elementary schools. There is urgent necessity, as I hold, for the Government to undertake the organisation of secondary education without delay, and this clause will be a real difficulty in their way. It was a little before 1870 that the School Inquiry Committee reported upon the matter; but there has been nothing done, because there has been no one high in office who has found it to his political interest to take it up. But the national interest has required it for a considerable time; and all this time whatever we have done in the higher class of education as regards the elementary schools, has been distinctly in the opposite direction, and the question has been postponed—and wrongly, as I think, postponed—and it will seriously hinder that organisation which is absolutely necessary to complete that educational system. I would recall what was said by Mr. Matthew Arnold, one of our greatest educational authorities. He said, not long before his death, again and again, "Organise your secondary education." He felt that this was what was wanted to make the elementary education itself perfect, and it is quite certain that your elementary education is now suffering, because, instead of giving an opportunity to boys of real ability to have a better kind of education, it is now given in the elementary schools, which are intended for a different purpose, and this makes the elementary schools necessarily more costly, and meanwhile the boys who ought to have this advantage do not get it.

*VISCOUNT CRANBROOK: I would only observe on that point that, much as

I should like to see intermediate and secondary education introduced, schools ought at all events to be provided, but the first difficulty is that there is no provision for other schools for these boys to go to. I quite agree it is desirable that there should be the graded schools; but at present they do not exist, and there is a very limited amount of education allowed by the additional year. Though, as I said before, I do not think myself this is absolutely necessary, being there I am prepared to support it.

*THE EARL OF SELBORNE: I presume there is no obligation on the managers of the elementary schools who do not wish to retain boys beyond 14 to do so.

*VISCOUNT CRANBROOK: If they have passed the Seventh Standard there is no reason for still keeping them, but up to the Seventh Standard they can stay there.

A noble LORD: I should like to ask the Lord President whether, if a boy has passed the Seventh Standard, he will still receive the Government grant?

*VISCOUNT CRANBROOK: He will receive the fee-grant under this Bill, but not the grants under the Code.

A noble LORD: They will not receive the double grant?

*VISCOUNT CRANBROOK: No.

*LORD COLCHESTER: If the noble Lord goes to a Division upon this matter I shall certainly support him. I have a strong feeling with regard to the mischief which is done by these schools doing that which it was intended they should not do—that is to say, endeavouring to give an education higher than elementary. I admit the importance of enabling some of the cleverer boys among the elementary scholars to rise to higher education; but I say, if you intend to do that with public money, you should do it in a totally different manner to this. The way to do that is to provide exhibitions to scholars in elementary schools which will take them on to schools of a higher character. That has been already done in the case of endowed schools; and if you are going to do it by rates and taxes, I contend the way to do it is by establishing scholarships and exhibitions to those boys who have shown cleverness, who may pass on to a higher class of school, whose business it would be to give that higher class of education. I do not think the Lord President is quite correct in saying such schools do not exist; as wherever school endowments have been dealt with under the Endowed Schools Act there has been this provision made. I think this Amendment is a very important one, and if there is any Division upon it I shall certainly support it.

*EARL SPENCER: I do not wish to detain the House by speaking at any length on this matter, but I wish to raise my voice in support of the views which have been put forward by the Lord President on this subject. I think it would be an extremely regrettable matter if we went back from what is really a compromise on this subject of age. Some do not wish to put any limit at all; others wish to put the limit of 16 years, and this, as the noble Viscount, the Lord President has said, is a compromise. Your Lordships are aware there is a wide feeling in the country among school managers and others to try and induce scholars to remain longer at school, and we are giving direct encouragement to that object by enabling them to remain so long at school free. My noble Friend divided the children at schools into two classes: the clever children and the dullards. He said the clever boys ought to go to a secondary school, and not remain at these schools. The Lord President answered that very completely by pointing out that at present there is no opportunity of sending them to such schools, for in many places no such schools exist. Then we come to the other class, the dullards, and I hope your Lordships will not reproach me if I take the dullards' part. I should regret if they were always sent out merely because they had not advanced quite fast enough for their masters. There are some who are dullards, not on account of their own fault, but who have not been able to go to school, perhaps on account of illness, and it would be hard if they could not get the benefit of the Bill. I think it is desirable that they should remain in the schools. I have heard it urged that the same thing should be done in the case of other classes, such as the blind, and deaf and dumb, who ought to be allowed to remain longer at the schools. I do not wish to detain your Lordships further. I only wish to urge

strongly on the House that they should not alter the age proposed in the Bill.

EARL FORTESCUE: There is one point on which the alteration of this provision should be considered, if it raises largely the number of boys in the 7th Standard in schools. In the small rural districts, or in schools in towns with a small number, an utterly disproportionate amount of toil and trouble and care will have to be bestowed by the teachers upon a very limited number under instruction. Those under instruction in such very small classes will not have the advantage of the emulation, and the company and fellowship in the same studies, which would be afforded if the scholars were in reasonable number. There will be two or three carrying on studies in classes, and, as I say, taking a disproportionate amount of the teachers' time and trouble, while at the same time obtaining far less advantage in the way of instruction themselves than they would if they were, as I hold they ought to be, in the case of promising boys and girls, removed by scholarships to a secondary school, where they would work in classes reasonably numerous, with the immense advantage of carrying on their studies, not isolated or in the company of a very small number indeed, but with a reasonable number, and in a school where the studies form part of the average and regular curriculum.

Amendment negatived.

*THE BISHOP OF LONDON: The Amendment which I had next to move was intended, as your Lordships will see, as consequential on the one which is withdrawn; but perhaps I may be allowed to ask a question about this Amendment, because my purpose was to secure that it should be distinctly stated in the Act that supposing the managers of the school did not wish to receive the fee grant at the commencement of the Act, they should be at liberty to come in afterwards and receive it at a later date. Supposing, for instance, that the managers of a school decided that they would remain as they were at present, would that prevent them from coming two or three months afterwards and saying, "We now desire to receive the fee-grant and to come under the action of this Bill?" I have proposed that they should be allowed to do so at definite intervals, on the occasion of every quarterly payment; but if the noble Viscount the Lord President is willing to assure me this will be allowed, I am quite content.

Moved, in Clause 1, Sub-section 1, line 13, after

"The managers of which are willing," to insert "either at the commencement of this Act or at the time of any future quarterly payment."——(*The Bishop of London.*)

*VISCOUNT CRANBROOK: There can be no doubt about the meaning of this provision. There is nothing to prevent the schools coming in if they are willing to receive the fee-grant. Any public elementary schools can come under the grant, as far as I can see, at any time.

Amendment (by leave of the Committee) withdrawn.

*LORD LINGEN: The Amendment which I have to bring under your Lordships' consideration upon the 2nd subsection of the 1st clause struck me, at first sight, as being one that went to the merits of the clause, and not to the mere drafting. If you read the clause down to the word "failure" it is rather wide. The section provides—

"If in any case there is a failure to comply with any of the conditions in this Act, and the Education Department are satisfied that there was a reasonable excuse for the failure."

Your Lordships will see those are extremely wide words, and would go to any failure whatever in regard to the conditions under which the grants are made. It was not until after considerable study of this provision that I found that very general condition was limited by a particular application, namely, that the Department may pay the fee-grant. I think it would have been made clearer by a different arrangement—if the subsection had been made to read differently. The meaning of the clause is apparently this: A calculation is made of 10s. on the average number of children in attendance for the year preceding a certain date, and the result of that calculation is to be the measure of the fee-grant. If the fees that are received under that calculation fall short of 10s. per scholar, the school is to get the 10s. per scholar, and not to exceed that amount. Otherwise, the schools may only charge fees which are equal to the excess. I

take the meaning of the second sub-section to be, that supposing the managers, by inadvertence, take more fees than they are entitled to, that shall not operate as a forfeiture of the grant, but only as a diminution of it. I think that ought to be made perfectly plain, as would be done if the section were changed in its place, or if it were made to read in this way—

"In any case if the Education Department are satisfied that the amount received from fees exceed the amount allowed by this Act, the Education Department may, if they see fit, make a deduction from the fee grant equal to the excess of fees so received."

I think as it stands at present the earlier part of that clause has a very awkward *non obstante* ring. Whatever may be the failure, from whatever cause, to comply with the conditions of this Act, the Education Department may cure that defect. I do not think that was intended, but that it should not work as a forfeiture, but only in diminution.

*VISCOUNT CRANBROOK: I think the noble Lord has rather limited the meaning of the clause. It will be observed that the clause in the first sub-section provides that if the fees are in excess of those limited by the Act, if there is anything wrong done in connection with the fees under this Act, the Education Department may make the grant notwithstanding, if they are convinced there is no wrong-doing on the part of those implicated in it, that they are not to give the whole grant, but to make such deductions as are necessary in consequence of the failure so far as regards the fees. I do not understand the noble Lord opposite to take any serious objection to the sub-section itself, but to propose rather that it should be put in a better form.

*LORD LINGEN: I do not press the Amendment.

Amendment (by leave of the Committee) withdrawn.

Clause 1 agreed to.

Clause 2.

*LORD LINGEN: My Lords, the principle on which the fee-grant is to be adjusted is upon the amount received in fees during a certain preceding year. It seemed to me, though I may have misapprehended the intention, that the amount received during a single definite year must be a fixed and not an average amount, and that the intention is to designate the total amount of fees received during that particular period. I have put it in this form for the sake of clearing up what the intention is. It seems to me the change is required.

Amendment moved, in line 28, to leave out "average rate," and insert "total amount." On page 2, line 2, after "the," to insert "average," and at the end of the same line to leave out "average." In line 9, to leave out "average," and insert "total." In line 10 to leave out "rate," and insert "amount." In line 13 to leave out "average rate," and insert "total amount." — (*The Lord Lingen.*)

VISCOUNT CRANBROOK: The terms which have been used in this section were supposed to have reference both to the case of the children attending and to the grant upon the average attendances. I do not think it necessary to put in the Amendment which the noble Lord proposes, for I think the other words meet the case. I do not think the noble Lord can take any serious objection to the clause as it stands.

*LORD LINGEN: If there were several years the word "average" would no doubt be accurately inserted, but for a single year I scarcely see how an average can be taken. Of course, I leave it in the hands of the noble Viscount, the Lord President.

*VISCOUNT CRANBROOK: I will consider before the Report whether there is any Amendment necessary in that respect.

*THE BISHOP OF LONDON: It is clear the noble Lord has not quite appreciated the meaning of this sub-section. I should be sorry to see it altered. I will illustrate what I mean by giving a case. Suppose there is a school in which the children pay £100 a year, but the fee grant amounts to only £80, according to this sub-section, as I understand it, the fees to be charged in that school must be such as to produce £20. But supposing in the course of seven or eight months the school has increased its average attendance in the year afterwards it may be found that the school pence would have amounted, on the old plan, to say £150, the fee grant made would only amount to £120, and the

difference would be £30. As the clause now stands the managers of the school would be able to charge the fees so as to raise the £30, whereas, if the change were made as suggested, they would only be able to raise £20, and that would be unjust. It is clear it would not be fair, when their school had risen, to keep them down to that sum which was to be raised when their school attendances were low.

*LORD LINGEN: I think a clause framed on this principle has a precedent in many other Acts of Parliament where grants have to be fixed. The last year, under which a different system has prevailed, is taken as the standard by which the future is measured. I may have read it wrongly, but, as I read this section, the fees received in the year preceding the 1st January were to be the standard by which the 10s. grant was to be measured, and all I contend for is, that if there is only one year, and if that is the principle adopted in fixing what the fee-grant should be, then the total amount of fees, and not the average, should be inserted in the Bill; but I am quite content to leave it in the hands of the Lord President on the terms that he is good enough to offer.

LORD HERSCHELL: I think it does need consideration, because I confess it appears to me the words at present would meet the case which the right rev. Prelate mentions.

*THE EARL OF SELBORNE: It would perhaps be made more clear, if the noble Viscount could explain what it is that is to be averaged.

*VISCOUNT CRANBROOK: The rate of fees is based on the average of fees received in that year. As the noble Lord has said, the average attendance of the children may differ materially; therefore, you must not bind yourself to the total amount that year, but look to what is earned by the average attendances of the children in the subsequent year.

LORD HERSCHELL: It is only the average rate in one year.

Amendment (by leave of the Committee), withdrawn.

Verbal Amendments made.

Clause 2, as amended, agreed to.

The Bishop of London

*EARL SPENCER: My Lords, the next Amendment is one which stands in my name, and I confess I attach considerable importance to the principle involved in it. I believe that this Bill is not intended primarily to relieve rates or voluntary subscriptions, and when we are giving this large sum, it is to ensure the free education of the children of the poor in this country. When we are giving an enormous amount by an increased grant, we should get improved education or accommodation where it is bad, for what we give. Now, I will not weary your Lordships by quoting at length any Inspectors' Reports, but I think I could show by Inspectors' Reports that in both these particulars there is great deficiency at this moment in England. If you take any of the Inspectors' Reports, you will find they say that the education is deficient in one respect or another; you will find the sanitary conditions, the ventilation, or the size of the school is deficient. I need not therefore go into that, as it can be amply proved without my troubling your Lordships with any quotations on the subject. Then, with regard to the profits that will be made under the Bill, I can show your Lordships conclusively by one or two cases that in some cases there will be very large profits. There are some cases, indeed, in which I hardly know how they will be dealt with at all where there is good teaching and good accommodation in the school, and the school has a large endowment, and does not depend on subscriptions. What is to be done in a case of that sort? I only refer to that in passing, because I think that is a case which will be difficult to deal with; but my Amendment does not touch that kind of case, but only cases where there will be considerable profit, and where either the education is deficient or the accommodation bad in the school. With regard to profits I will take as examples two schools in Wales. One in Carnarvon. There there are 162 in average attendance, fees £32, subscriptions £40 odd; they will receive under the fee grant £81, and there will, therefore, be a direct gain there of £34, and they will be able to go on without any subscriptions at all. Then, another case of a school in Denbigh: the average attendance is 259, fees £66, subscriptions £21, total £88, the fee-grant will be

£129, and as their subscriptions are only £21 they will get a gain of over £20. I think those are cases where it is right that the Department should demand improved education or improved accommodation if possible. But my proposition does not touch only voluntary schools. It touches equally Board schools. I have a case in Monmouthshire, where I have taken out the results in 20 schools. The average attendances are 5,663, the fee-grants £2,831, the amount now received £1,499; that is a clear gain of £1,332 to those 20 schools. The rates amount to £14,100, or 14s. per head, which shows that the rate is not excessive. I do not understand that it is desirable in all these cases either that the subscribers or the school rates should benefit. There are, no doubt, some cases where the standard of education has been kept up very high and where the contribution is good. My Amendment would not deal with cases of that sort, and I think it cannot be doubted that in such cases relief should be given. I shall be probably assured by the noble Viscount that the Government had wished that there shall be improved education and improved accommodation in schools, and that they will do all that by means of the Code. That, no doubt, may be so, but I think Parliament ought to have some guarantee that this will be done, and I think it would strengthen the hands of the Department in insisting upon improved education and improved accommodation if such a clause somewhat like that which I have put down is inserted. In another place this was moved in various forms, and this very Amendment which I have put down was proposed and received very large support from all sides of the House. I, therefore, sincerely hope Her Majesty's Government will favourably consider my proposal, and I think it would be only right when we are making this enormous additional grant to public elementary schools, and putting this profit in the hands of managers of schools, that we should get some guarantee that education and accommodation shall be improved.

Amendment moved, after Clause 2, page 2, to insert the following Clause:—

("In the case of any school where the fee grant exceeds the amount received in fees during the school year ended last before the first day of January one thousand eight hundred and ninety-one, an annual sum equal to such excess shall (unless the Education Department certify that such expenditure is not necessary or expedient), be expended by the school board or managers of such school in one or more of the ways following (that is to say): on rebuilding, enlargement, or improvement of the school buildings, the provision of school books, plant, and apparatus, the payment of additional staff or of special teachers for drawing, cookery, laundry work, science, drill, or manual instruction, or for any other proper educational purpose from time to time sanctioned by the Education Department.")—(*The Earl Spencer.*)

*VISCOUNT CRANBROOK: My Lords, I am quite as anxious for the improvement of education as the noble Earl opposite, but I cannot think it would be either just or right to agree to the clause he has proposed. With regard to the cases he has cited it is perfectly true where you take the average throughout the country, it is of necessity that some will gain and some will lose. I do not know how you can deal with it in any other way. It would be difficult in any statute of this description for any such term to be imposed upon schools as is proposed by the clause or resolution—for it is rather a resolution than a clause—it is in the nature of an instruction to the Education Department to take certain steps. I cannot help remarking that the noble Earl on the previous occasion was not in favour of a central system. I would remind those who heard the noble Earl make his speech on the Second Reading that he urged that nothing could be so bad as to keep this central system in the Department, and to put the burdens on it which were proposed, and yet he suggests that there should be an additional burden cast upon them for this purpose, and for that reason to stereotype for ever the sum of money obtained in the last year as an average fee. Nothing could be more unjust. The school may, for some reason or another, not have been in its average state, certainly not in its best state, or it may have been rapidly improving, and adding to the numbers of scholars which frequent it, and in that case, by the mere addition to the numbers, and getting the fee-grant, it would improve the school as it went on. Under the Code the Education Department has power to deprive the school of the annual grant unless it is

efficient. Look at what the Education Department is called on by this Amendment to undertake. They are to see whether the school shall employ the money in re-building or making necessary improvements in the building, in providing school books or appurtenances, in the payment of its staff of teachers, in teaching cookery, drill, or in any other way which may be sanctioned by the Educational Department. If you want a centralising system you have got it there. There is the centralising system which is to go on for ever, and which is to impose these conditions which do not exist under the Code. I ought to remind your Lordships that by the Code, as at present constituted, if the Inspectors find the schools efficient without entering into the question whether they have money or not—it is not a contingency—upon their Report the grant is given; if not, warning is given, and if they do not put things in order and improve the education, the grant is taken away. Nothing can be done in the way in which my noble Friend has suggested. My noble Friend has spoken of these schools in Wales, and says that 14s. is not a high rate. If you look at the School Boards throughout the country I think your Lordships will see it is extremely high. In Manchester I believe it is only 7s., that is to say, half the amount; and in those cases in order to keep the fees low the rates have been extremely high. The noble Lord did not tell us how high those fees were, or how they were distributed over the schools. It seems to me a very unreasonable thing if, by an excessive expenditure of rates, many boroughs and municipalities, and others, have been keeping up their schools in a very high condition, that when they get this additional grant for fees, having kept them at a low rate, they get more than those who had kept them at a high rate. Take the case of Birmingham. The Birmingham fees are about 5s. 9d. in the Board Schools. The rates are 18s. 8d.; they get 10s., and they will have 4s. 3d. over the average of what those fees have hitherto been. If they have got their schools to perfection, are they to do nothing in the way of lowering the rates? Take another instance: How are you to go on? How can you be sure that subscriptions will go on? I have known cases where people have been good subscribers, but they have died, or they have been succeeded by others of a different religious persuasion, or who for other reasons may entirely withdraw their subscriptions from the school. The managers have no power to interfere with that. The subscriptions will not go on, and they must get something over in order to keep the schools efficient. With the best intentions you would by this be burdening the Education Department in a way which no Department could bear. It would be in perpetual collision with all the schools which got more than hitherto; and instead of a happy and easy working of the system, you will bring yourselves into trouble continually with schools throughout every part of the country.

Amendment negatived.

Clause 3.

THE BISHOP OF MANCHESTER: Before the right rev. Prelate moves the next Amendment, I should like the noble Viscount the Lord President to give some explanation of this clause, the construction of which causes difficulty in the minds of a great many people. The clause provides that in any school receiving these grants where the average rate charged in respect of fees and books "and for other purposes." I wish to ask does that mean charged and received from the parents? Then it goes on to provide that where the average during the last year before the 1st January, 1891, is

> "Not in excess of 10s. a year for each child that the number of children in average attendance at the school,"

no charge shall be made to the parents. I presume that means the total number of children of all ages in average attendance, and I should like to know whether this point is intended.

*VISCOUNT CRANBROOK: It means within the ages under this Act, that would be within the ages of 3 and 15.

THE BISHOP OF MANCHESTER: It does not say so. It says, "The number of children in average attendance at the school," which I understand to mean the total number of children, and I may say this was the understanding of many others with whom I have been in communication.

*VISCOUNT CRANBROOK: No.

THE BISHOP OF MANCHESTER: Then it goes on to provide that in such a case no charge shall be made upon any parent in respect of any scholar. I think the Lord President is going to move an Amendment upon this section.

*VISCOUNT CRANBROOK: Oh, yes; at the end.

THE BISHOP OF MANCHESTER: Then I would ask what is meant by the definition in Clause 3 between these words "the average rate charged and received." Does it mean in respect of fees, books, and all other purposes whatever, for this to free the schools and children of all ages—to make the schools completely free?

*VISCOUNT CRANBROOK: It means within this Act from the ages of 3 to 15.

THE BISHOP OF MANCHESTER: Surely, then, that ought to be expressed.

LORD HERSCHELL: I would call attention to this. I understood the Lord President to say that the average attendance refers to the Code. I quite see that there is an interpretation of "average attendance." It would be quite intelligible, but as I gather, attendance can only be reckoned in the case of children between 3 and 14. Under this Act it goes further. Would not there need to be some alteration made?

*VISCOUNT CRANBROOK: I think not; because it is between 3 and 15. It is so provided. You have already got it that a grant is to be made between the ages of 3 and 15, so that the "child" mentioned in this B third Clause, is the same kind of child as is spoken of in the former section. In that way the noble Lord will see that if we allowed the charge to be made for books, and so on, you would be in that way putting a penalty on the children, where the whole of the expense for books, and everything else has been heretofore borne by the school.

*THE BISHOP OF LONDON: I propose in line 16 to insert the words "or remitted" after "received." It applies to many schools. Of course, schools very often have children who pay no fees at all, because the Guardians pay the fees for them; but it is a very unpleasant thing for parents to have to go to the Guardians to get these fees paid for them, and they very much dislike it. It is rather hard, I think, that in such a matter as this they should have been rendered quasi paupers. This is felt to be so, and in a good many cases the managers, in order to spare them this necessity, have themselves remitted the fees without requiring the parents to go to the Guardians at all; and they have, therefore, neither received those fees from the parents nor from the Guardians. It is very hard, I think, that in consequeuce of their desire to do what was best for the children and parents too, they should be eventually fined, and heavily fined, as they will be under this Bill; because their generosity will be taken to mean that the rate of fees is so much lower than they would have been in accordance with the rules of the school. They have given these children their money, and they are to be called upon to persist in giving it at a time when all the other children are receiving it from the State. I think that is exceedingly hard upon managers who have been obviously endeavouring to do what they considered their duty to the children in the school. If your Lordships will insert the words "or remitted," the result would be that in all such cases where children have been in the school, and have not paid the fees because the managers have given them up, the managers would not now suffer from their generosity.

Amendment moved, in Clause 3, line 16, after "and receive," to insert "or remitted."—(*The Lord Bishop of London.*)

*VISCOUNT CRANBROOK: Upon consultation with my Colleagues and others, though I have endeavoured in every way possible to see whether this could be done, I am afraid we should not be able to provide for remission. What does remission mean? I find that some fees have been remitted from 1d. up to 6d. If 6d. be the high fee of the school, is it a remission to charge that? It is a very serious question, and it is one which we cannot solve. I am afraid, therefore, with the greatest desire to meet this, we have found it absolutely impossible to do so.

THE MARQUESS OF SALISBURY: I sympathise with the feelings of the right rev. Prelate upon this matter, but I feel that it is quite impossible for the Department to accede to his wish. I cannot help thinking that when we deal with the question of low grants, we must

consider that giving back a thing will not show that you have not received it. Foregoing that which, if you had pressed for it, you would have received, is in constant commercial practice treated as actually receiving it, and I think, when you come to test it, in a great majority of cases it will turn out that it is treated under the Statutes as having been received.

*THE BISHOP OF LONDON: I am glad to hear that statement from the noble Marquess the Prime Minister; it is certainly new to me. I should have thought the decision would rest with the Department itself, and that they would say, "You return this as a part of your expenditure, and we will stand upon that;" but if the schools are at liberty to say to the Department we have received so much more which we have given back, I think the difficulty would be greatly diminished.

*THE EARL OF SELBORNE: I should not like to encourage the right rev. Prelate to rely too much on the suggestion which has been thrown out by the noble Marquess. The words are "charged and received," that is to say, they must have been "received" as well as "charged."

Amendment (by leave of the Committee) withdrawn.

Verbal Amendment made.

*THE BISHOP OF LONDON: The last Amendment which I propose upon this clause, after line 21, to add "over three and under fifteen years of age," has already practically been dealt with upon a question which has been asked on the opposite side of the House. It does not appear to me that the children under this clause are children between the age of 3 and 15. And I merely propose this in order to make that quite clear; but if the noble Viscount the Lord President is satisfied that it is perfectly clear, I have nothing further to say.

Amendment (by leave of the Committee) withdrawn.

Clause 3, as amended, agreed to.

Clause 4.

*LORD SANDFORD: My Lords, I beg to move the omission of the words "and suitable" at the commencement of the clause, where it provides that the Education Department are to be satisfied that sufficient and suitable public school accommodation is given. Those words in the Bill are unnecessary, and unnecessary words in an Act of Parliament are apt to be mischievous. I do not know whether the Lord President will assent to that.

Amendment moved, to omit, in Clause 4, page 20, line 23 ("and suitable.")—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: There is no importance in the words as far as I see. "Sufficient" is quite enough.

*EARL SPENCER: I should like the noble Viscount to explain that. I have always attached considerable importance to the word "suitable" when a deficiency has to be made up. The word "suitable" is always used in regard to religious difficulty in this matter. If a Wesleyan school as a free school were established in a district, and there were no other schools in the district, would that be a suitable school for a Roman Catholic parent to send his children to; or, on the other hand, if a Roman Catholic school were the only one established in a district, would that be "sufficient and suitable" for Wesleyan children? I doubt whether the word "sufficient" without "suitable" covers that.

*VISCOUNT CRANBROOK: Under the existing law a public elementary school which provides the proper education has sufficient accommodation, and is within the required distance, is a "suitable" school. As far as I know, we have not in this country what they have in Scotland, the use of the word "suitable" in connection with religion. In this matter "suitable" has always been supposed to mean that which comes within the requirements of elementary education.

*THE MARQUESS OF RIPON: I cannot quite agree with the interpretation given by the noble Lord of the word "suitable." I quite concur in thinking that the wording of the Scotch Act is better than that of the English Act. That was my opinion when the Act was passed. The point was discussed between Mr. Forster and myself at that time. But, at the same time, I may say that we always did attach a meaning to the word "suitable" in the English Act, which pointed in the direction of

its being the duty of the Education Department to consider, in the matter of suitability, whether the school was suitable to meet the religious views of parents.

THE MARQUESS OF SALISBURY: I think the definition of the word "suitable" by the Department, given by the noble Marquess just now, does not err on the side of distinctness. If suitability is to point in the direction of allusion to possible religious differences, I am afraid it might possibly cause great perplexity to the Department, and great hardship occasionally to the masters of schools affected by that interpretation. Of course, as long as it is merely a geographical word, its meaning is easily understood; but I think we should give endless trouble to the Department if they are to inquire in every district whether the schools are suitable to the religious convictions of the people. I think if that is required they would have to deal with such broad questions as whether Protestant children can be educated in Roman Catholic schools, or whether the children of people who insist on religious teaching are adequately taught in Board schools. I do not believe that, practically, any such interpretation has ever been given to the Act of 1870, or, if so, it has certainly not attracted public attention.

LORD HERSCHELL: I was under the impression that this word was used in ordinary language. I thoroughly agree with the noble Lord opposite that if two words are used in an Act of Parliament, and one is sufficient, there is a danger in using both, but here there is a danger of this word causing difficulty.

*LORD SANDFORD: I should like to remind the noble Marquess opposite (the Marquess of Ripon) that this was the very first question which arose under the Act of 1870, and that the first Circular issued by himself and Mr. Forster dealt with this question. In that Circular it was laid down that a "suitable school" meant a school within reasonable distance of the children's homes, to which they could be admitted on payment of a fee within the means of their parents, and where education was given without offence to their religious convictions. In this Bill you provide that every school which receives a fee grant must be a public elementary school, and, therefore, under the protection of the Conscience Clause. The fees are done away with by this measure; and with regard to the reasonable distance, that has been defined in every district in England by the bye-laws. The insertion of the word "suitable" seems to me for these reasons to be unnecessary.

*VISCOUNT CRANBROOK: The only instance in which I can find the word "suitable" used is in the 8th section of the first Act of 1870, and there the word "suitable," no doubt, stands alone. It says that in deciding they shall take into consideration—that is, in ascertaining the deficiency, certified efficient schools were counted—

> "Every school, whether public elementary or not, and whether actually situated in the district or not, which will give efficient elementary education, and which will be suitable for the education of the children in the district."

THE EARL OF KIMBERLEY: Is not that rather a strong argument for not departing from a word the meaning of which is fixed and well known? I understood the noble Viscount to say that he would agree to the Amendment, because it would not alter the existing law; but surely when you alter what has been already done, someone will start the notion that you have altered the requirements with regard to already existing schools. If this word "suitable" has been defined absolutely by the Education Department, no doubt it would be safe to retain the word "suitable." It was assented to in the other House after considerable discussion by the Government on the ground that it would be well to retain it, and I think we had better accept the existing phraseology.

THE MARQUESS OF SALISBURY: I am not quite certain whether it was inserted at this point. I think it was inserted in the other House at a later stage without debate, and without any regard to its meaning. I think that noble Lords will see the state of things was different then—in 1870. When the Act of 1870 was passed, one of the points of suitability was suitability in the matter of fees, and that *ex hypothesi* has all been swept away. When you use a word which is no longer applicable to a former state of circumstances it will be

supposed that you mean a great deal more than you do mean, if by the nature of things the conditions which it formerly satisfied have disappeared.

Amendment agreed to.

*THE BISHOP OF LONDON: Then in Sub-section (1) come words providing that the fee of any child shall not exceed 6d. a week. This appears not to be quite in accordance with the wording of the rest of the Bill. The highest fee at present allowed in the average is a fee of 9d. a week; and this sub-section, as it is now worded, seems to imply that the highest fee for any individual child shall not exceed 6d. a week. Therefore, I want to put in the word "average" here, which will keep the wording of the clause in accordance, as I understand it, with the present regulations as to fees.

*VISCOUNT CRANBROOK: I propose, with the assent of the right rev. Prelate, to put in, instead of "average," the word "ordinary." That would enable the requirements to be met; that is to say, the ordinary fee would be dispensed with as it was formerly, and in that way it would enable 33 per cent. to be charged, so as to bring it equal to the ordinary fee at 9d. If the right rev. Prelate will accept the word "ordinary," I think that would be better.

*THE BISHOP OF LONDON: I will accept that alteration of my Amendment.

Amendment moved, in Clause 4, Sub-section 1, line 31, after the words ("provided that the,") to insert ("ordinary"). —(*The Lord Bishop of London.*)

*EARL SPENCER: I should like to ask the noble Viscount one question. If I understand the alteration made by the right rev. Prelate's Amendment, it is this: It will allow differential fees in the same school. I think that before the Commission over which Lord Cross presided, there was some evidence given that masters who had the control of fees in their schools raised fees merely in order to drive one particular child, who may have been a dullard, out of the school. As I understand, the noble Viscount wants to prevent that.

*VISCOUNT CRANBROOK: The word "ordinary" has been submitted to legal advisers more than once, and it is quite understood. You will not in future be able to charge a higher fee than 6d.

Amendment agreed to.

Verbal Amendments made.

*LORD LINGEN: On the next sub-section upon the important question of the Report to Parliament by the Education Department of the imposition or augmentation of fees, I think the Report to Parliament would be made more valuable if not only the result of their action, but the reasons for it, were stated; and I hope the Lord President will see no objection to insert these words.

Amendment moved, in line 36, before ("amount") to insert ("the reasons for and the").—(*The Lord Lingen.*)

*LORD SANDFORD: I should have thought it would have been better to put in "the refusal to sanction the imposition of fees." It is this that will be, or ought to be, exceptional.

*VISCOUNT CRANBROOK: I could not quite hear the noble Lord, but I understand he asked me a question.

*EARL SPENCER: My noble Friend desires that the reasons should be stated to Parliament for doing this.

*VISCOUNT CRANBROOK: I think it is rather a difficult matter to impose upon any Department the necessity of laying reasons upon the Table. The reasons will be given in debate and discussion, in Parliament if necessary. It is not usual to put all your arguments upon paper, and, no doubt, those who have to take such a course as is indicated here will be able to defend it.

*THE MARQUESS OF RIPON: I would point out that Section 98 of the Act of 1870, when the Education Department refuses to make a grant for a new school it is required to state its reasons, and that is done every year in the Returns which are laid before Parliament. It does seem reasonable that, as the noble Lord asks, the same thing should be done in this case which is done every year in the other case.

*THE EARL OF SELBORNE: The clause states what reasons shall justify such a course; which are two, and two only. They must under this clause have gone upon one or other of the reasons there stated, and I cannot see any necessity for giving any other reason.

THE EARL OF KIMBERLEY: You will not know, unless the reasons are given, why it has been done. You will know nothing about the reasons which actuated the Department. For example, a change of population is an entirely different thing from the other reason given, and unless the reason is stated the words in the clause are so vague that it does seem difficult to know how it is to be worked. I do not think it is necessary to give a wide discretion to the Department; but the words are so wide that it is very difficult to say how they would be interpreted, and I think it is necessary we should know something more about it.

THE MARQUESS OF SALISBURY: There is nothing more illusory than a statement of reasons; that is to say, in Parliamentary matters. I wonder if the noble Earl has ever had to give reasons for differing from the other House. If anyone could get an impression as to the real state of those reasons on such occasions I think he would be very clever.

Amendment negatived.

LORD SANDFORD: My Lords, the reason I move the next Amendment is that I want to hasten the time at which this measure will come into operation. I desire to substitute "six months" for "one year." I think if we consider that before the end of 1891 every school in England and Wales which accepts the fee-grant will have made a Return to the Education Department showing what the managers intend to do, and probably the number of free places they intend to reserve, and that they will all have had notice in the matter, it is of great importance they should not go on during so long a period as a year without making up their minds. Many are crying out that they are ruined and destroyed, and do not know what they will have to do. I think it will be really better for them that they should be pressed to make up their minds, and for that purpose I think six months ought to be sufficient.

Amendment moved, in Clause 4 (4), page 3, line 1, to leave out ("one year") and insert ("six months.")—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: I am surprised that my noble Friend should have moved this Amendment. I have already pointed out that a great deal of the difficulty in this matter has arisen from the feeling in regard to it. I believe that a lapse of a year will have caused a great difference in the feeling of the country and in the original views held upon the whole of these matters.

Amendment negatived.

*LORD SANDFORD: The next Amendment is to insert the word "not" in line 3, so that it will read "that after a year, if it is represented to the Education Department that there is 'not' in any school or district a sufficient amount of public school accommodation," and so on, the deficiency is to be supplied. I go on in the next Amendment to alter the word "insufficient" to "sufficient," and to leave out "or in any part of a district."

Amendment moved, in line 3, after ("is,") to insert ("not.")—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: This is a question really of altering the clause so as to exclude part of a district without sufficient reason. The clause, I think, expresses sufficiently what the noble Lord wants. It is only a different way of expressing it.

Amendment negatived.

*LORD SANDFORD: Then comes the omission of "or any part of a district." That, I think, may well be left out if you adopt a proviso that free school accommodation is to be found for those who want it within the reasonable distance prescribed in the bye-laws of each district in regard to the compulsory attendance of children at school.

Amendment moved, in lines 3 and 4, to leave out ("or any part of a district.")—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: I do not quite understand. Take the case of a school district in London. You must have separation there. You could not say to people in Marylebone there is a school up at Islington, or another school somewhere within two miles of you. There must be separation.

Amendment negatived.

*LORD LINGEN: I have several Amendments in Clause 4, beginning with one on page 3, line 4, to leave out

"public school," but, with the permission of the House, I would withdraw those Amendments in my name, which are only verbal ones on that section.

LORD SANDFORD: My next Amendment, at line 6, was to leave out—

("or that such accommodation is unsuitable for the wants of the population")

and to insert—

("within the distance from their homes prescribed by the bye-laws for the compulsory attendance of children at school.")

That, I understand, is objected to by the Lord President.

VISCOUNT CRANBROOK: Yes.

*LORD SANDFORD: Then I withdraw the Amendment

LORD EGERTON OF TATTON: My Lords, the object of the next Amendment in my name is to ensure public inquiry. I do not know what is meant by the inquiry mentioned in the clause, whether it is to be by the Department in the interest of the ratepayers, or of the parents, or of the children. Within the last few days I have made inquiry in the borough of Salford. I have sent circulars round and have had answers from 500 parents—59 only were in favour of these schools, 358 were in favour of a 1d. fee, and 99 in favour of 2d. a week. I presume that that is the sort of inquiry which is desired, and that the Department are going to make such inquiries as were made before adopting the Act of 1870. I think it is necessary that such inquiry should be made as would prevent the possibility of a few individuals representing their own opinions without consulting the public. Therefore, my Lords, I propose to insert "public" before the word "inquiry."

Amendment moved, in Clause 4 page 3, sub-section 4, line 8, at end of line, to insert ("public.")—(*The Lord Egerton of Tatton.*)

*VISCOUNT CRANBROOK: I think my noble Friend has not seen this: where there is no School Board there is provision for a public inquiry if applied for. Why should we force inquiries throughout the country? I quite agree within the School Board districts there are totally different views as to supplying accommodation, and that it would be desirable that the power of having a public inquiry should be extended to School Board districts if any persons should desire it, as they may do where there is not a School Board. I do not think that would be objectionable; but putting it in in this way would lead, I think, to no good result, because under Section 9 of the Education Act it would be found that the means are provided by which such inquiry shall be called for and conducted. Therefore, I think there is no occasion for the Amendment which the noble Lord proposes. It is only to be if it is asked for. If there is an admission on the part of those within the district who are managers of schools that they are satisfied. If they are content with what the Education Department has done, why should there be an inquiry? But if they are not, then I think in other cases there should be. My noble Friend Lord Sandford has an Amendment upon the Paper upon that, but I should be glad if he would postpone it until the Report stage. I will show him a plan that I have in writing, which I hope he will adopt instead of his own, and, in the meantime, I hope he will let this question stand over.

Amendment (by leave of the Committee) withdrawn.

Verbal Amendments made.

*LORD SANDFORD: I move to insert, in line 10, after ("provided by,") these words ("Sections 9 and 10 of the Elementary Education Act.") They are meant to secure due notice of inquiry in every case of dispute.

VISCOUNT CRANBROOK: I assent to that. It is exactly what was meant. I have no objection to the sections being put in, nor to the word "direct," because it is the word used in the former Act.

Amendment agreed to.

Verbal Amendments made.

*LORD LINGEN: I have an Amendment to leave out ("include,") and to insert ("shall under such circumstances mean.") I prefer those words to the words which are in the clause now, but I admit they are not material, and I do not wish to press them.

Amendment (by leave of the Committee) withdrawn.

*LORD SANDFORD: The proviso which I wish to insert at the end of this clause is to the effect that if any *bonâ fide*

steps have been taken and are actually in progress in any district for the supply of public school accommodation, no requisition or order shall be issued to the School Board if one exists which would supersede these efforts on the part of volunteers. A great many cases have arisen in which School Boards have stood upon what they considered their right to supply public accommodation even to the exclusion of schools already erected or nearly completed.

Amendment moved, at the end of Clause 4, to add the following proviso:—

("Provided that whenever and so long as any deficiency in public school accommodation in any district is in course of being supplied with due despatch, no requisition or order shall be issued in that behalf by the Education Department.")—(*The Lord Sandford.*)

*VISCOUNT CRANBROOK: I do not object to this, because, as the noble Lord opposite, and those who are acquainted with the work of the Education Department will know, that is very much the course which has always been taken.

Amendment agreed to.

*THE BISHOP OF LONDON: Before this Clause 4 is put I want to draw the attention of Lord Sandford to the Amendment which he withdrew, in line 6, which comprises three important words. It is to leave out—

("That such accommodation is unsuitable for the wants of the population,")

and in line 8 to insert—

("Within the distance from their homes prescribed by the bye-laws for the compulsory attendance of children at schools.")

I do not know quite what he proposed in substitution in withdrawing his Amendment, because there is the same word "suitable" which is likely to cause difficulty.

THE MARQUESS OF SALISBURY: That is the Amendment which I spoke of before, when an Amendment was introduced upon it in the other House, almost without debate—at least, there was no Debate reported.

*THE BISHOP OF LONDON: I should be glad if the noble Lord would consider that, because it may give rise to controversy and very mischievous controversy.

*LORD LINGEN: I would venture to appeal to the Lord President on that point, for I had intended to put an Amendment down myself. I hope, therefore, on the Report the noble Lord at the head of the Council will consider that Amendment.

*VISCOUNT CRANBROOK: The noble Lord will see how I was misled by the Amendment of my noble Friend behind me. He had an Amendment to alter words which I objected to, and that Amendment he withdrew without thinking of the words he had here. Of course, the same remark would apply to the word "suitable" in this place. However, if the matter is brought up on Report, that would be sufficient.

*LORD LINGEN: Before we part with this clause, I will point out that the 1st sub-section of the clause provides for the Department in certain cases approving increase of fees; and, secondly, that they shall report such approval to Parliament. Then there is another matter referred to, which would be in setting up a school; that is the provision in regard to accommodation to be provided if it is deficient. I would suggest to the Lord President whether that should not be made a separate clause.

*VISCOUNT CRANBROOK: That is a point which has struck many of us, but the clause has already undergone so many transformations in the other House that it has not been easy to deal with it here. I should, however, be quite content that this should become a separate clause of itself as proposed.

A noble LORD: I would suggest that your Lordships should strike out the whole proviso in this place. That would meet the difficulty of the presence of this dangerous word "unsuitable."

*VISCOUNT CRANBROOK: This is the very clause which I have just spoken of. These words referring to "unsuitable accommodation" can be brought up on Report. I should be willing to agree to their omission at that point.

A noble LORD: It is the whole line.

Clause 4, as amended, agreed to.

Clause 5.

Amendment moved, in line 15, after ("more,") to insert ("public elementary.")—(*The Lord Lingen.*)

*VISCOUNT CRANBROOK: The proposal I have to make will, I think, meet some of the objections to it. The words are "agree together to"—

it does not say when they shall pay. I propose to leave out the first words, and then make it "may pay." That, I think, will dispose of the difficulty.

*THE BISHOP OF LONDON: There would be an advantage if the Act provided that the managers might be the persons to hold the amount, not that they should pay for each separate school and then pass it on.

*VISCOUNT CRANBROOK: There would be a real disadvantage in the way. We should have to calculate the earnings of each school. The school must be in a proper position in order to get the grant. If it was put into a common fund which did not go direct to the school, it would not be a payment to them. Therefore it is necessary that the grant should, in the first instance, be made to the school, and then paid over if necessary. I think these words with regard to its being paid would meet all that is required.

*THE BISHOP OF LONDON: I do not think the Lord President has quite considered the effect of these Amendments. I propose afterwards to insert that for the purposes of this Act such schools shall, if the managers desire, be deemed to be one school. In that way it would be no disadvantage to anybody, and would be a great advantage to the schools. As regards the 17s. 6d. and the grants, they could be applied to the whole group of schools, instead of to each school separately. I do not see that there can be any objection to that.

*VISCOUNT CRANBROOK: I think it would be an impossibility to bring that in under this Bill. It would cause enormous difficulty to have to deal with each school separately, involving correspondence with the managers of each of them with regard to their own school. The difficulty would be enormous. Then another point which I would put to the right rev. Prelate is, how is he going to provide that the subscriptions for one of these schools shall not be transferred to the other?—so that it is not a question for the managers alone. It would affect all the ratepayers upon the question whether or not the School Board should join in this rate. In the case of voluntary schools, we should be dealing with questions which are not before us, and if we were to put this in we should be dealing with the Government grant.

Viscount Cranbrook

THE EARL OF KIMBERLEY: I have always thought it would be a great improvement in our educational system if we could invent some scheme by which the smaller schools could be grouped together; but I think the noble Viscount has given the reason why it cannot be done in this Bill. If you were to attempt to do it without the elaborate machinery necessary for the purpose, I think you would get into great difficulty, but I should be very much in favour of some system of grouping if it could be devised.

Amendment negatived.

*THE BISHOP OF LONDON: I propose to withdraw the Amendment which I suggested in line 17 to leave out ("agree together to pay,") and insert ("may appoint a receiver to whom,") and of course my Amendment in line 19 would have to be withdrawn in the same way.

Amendments (by leave of the Committee) withdrawn.

*THE BISHOP OF LONDON: With regard to line 19, I confess I am very unwilling to part with it, and I would suggest whether the Lord President will allow me to consider whether I cannot in some way or other satisfy him when we come to Report. I do not very well see why there should be such great difficulty. I do not think that the groups of schools will be enormously large, and, of course, if it is pronounced to be impracticable, this Committee will not accept it. I do not propose to move it after what has been said.

Amendment (by leave of the Committee) withdrawn.

*LORD LINGEN: The Amendment which I have in line 19 is one to which I should be glad if the House would allow me to call their attention, because I think the section raises a point of very great importance. As far as I can understand it, the idea is, that the more powerful, and more successful, and more efficient schools should establish a sort of supererogatory fund by means of which the grant received shall be distributed to the weaker and less efficient schools in the neighbourhood. Now, that is a principle which is quite new, as far as I am aware, in the Education Department.

For years and years past, Ministers who have been connected with the Department have seen the very great difficulty of having to deal with individual schools in so great a number. Every *à priori* reason that you can think of almost is in favour of grouping schools and of dealing with some authority which comprises them, but I venture to think that the managers of one voluntary school cannot become a nucleus for grouping other schools with them, and I do not think it would be for the interest of education that the school which earns the first grant should be able to attribute that grant to another school which might not have obtained any grant at all. As the clause was worded, the second school need not even be a public elementary school; but that objection, by the explanation of the President, has been removed, and I do not suppose it ever existed except as a verbal omission. Still, I think where you have a voluntary system, there is no device you can adopt which will enable you in any efficient manner to group schools. I believe, under a voluntary system you must deal with individual schools, unless the managers of those schools are willing to entertain the consideration which, as far as I am aware, they are not willing to entertain, of coming under some conditions or other, implying responsible local management. I have advocated these opinions in the evidence which I had the honour to give before Lord Cross's Commission. I have held the same opinions for many years, and I should be very sorry to see any measure adopted which, entailing many inconveniences, would, at the same time, not issue in any public local administration of schools. It is for this reason that I have moved the Amendment which I have put down so that if this principle is adopted, at any rate it shall not operate so as to convey public assistance to a school which has not earned any part of that assistance by its own merits. For that purpose I have looked at the grants as given under two heads. The fee grant, although it is not to be given to an inefficient school, is, in the main, a grant of means; but the other grants which are dispensed by the Education Department are grants for efficiency, and in all the past days of the Education Department I quite concur with the view stated by Lord Spencer, who said that all grants have hitherto been given with the view to promote efficiency. Therefore, while I will not altogether object to this clause for the sake of giving this measure as good a chance of success as it can have, I think, if the second school is allowed to receive assistance through the first school, it should be required as a condition of that assistance to be in a position to obtain a grant of its own from the Education Department. Those are the reasons why I put the clause down, and upon which I commend it to your Lordships' notice.

Amendment moved, in Clause 5, page 3, line 19, after ("schools") to insert—

"Provided that the grant received from the common fund by any such school in any school year shall not exceed the grant made to that school by the Education Department for the same year other than the fee grant."—(*The Lord Lingen.*)

*VISCOUNT CRANBROOK: I confess I have had some difficulty in understanding the clause proposed by my noble Friend opposite. In the first place, he seems to forget that under the new Code the grants are mainly in bulk; that is that no school can receive a grant which is not efficient under the Code. They cannot come under the Code Grant unless they can earn the 12s. 6d., and the 12s. 6d. is very unlikely to be paid in addition to what they would get out of this common fund. Suppose they paid in the whole of their 10s., and that that represents the common fund, they would hardly be likely to divide it out in that proportion to the poorer schools. Those poorer schools must be efficient to come within the Government grant, and under the Code to earn the 12s. 6d. or 14s. Therefore, the noble Lord will understand that the schools which enter into this fund must be efficient, because otherwise they would not come under the Code at all, and they would be driven out into the cold altogether if they were not efficient. In former days the child had to be examined in reading, writing, and arithmetic, and so make up the grant. That depended on the examination of the children individually, and was a different state of things altogether. But now the condition of the

school decides whether it can receive the 12s. 6d. or the 14s. Besides that, there are the other grants for other purposes for what are called class and specific subjects, but you have the safeguard in the Code, that none of these schools could combine unless they were efficient schools.

*LORD LINGEN: The words which weighed with me were that

"The fee grant received by each school in the first instance shall alone count as income of such school for the purposes of this Act, and of Section 19 of the Elementary Education Act, 1876, and a contribution to a school from any such common fund shall not be reckoned as income of such school."

Therefore they might be schools which would, after the amalgamation, have the benefit of more meritorious neighbours' grants. I beg to withdraw the Amendment.

Amendment (by leave of the Committee) withdrawn.

*THE BISHOP OF LONDON: As regards the sub-section which I propose to add to this clause, which would enable managers who have more than one school under their management to deal with them as one school—I mean such cases as where there are a boys' school, a girls' school, and an infant school under the same management—it would be a great relief to many of those schools if they could be allowed, for the purpose of this Act, to have their schools returned as one.

Amendment moved,

In Clause 5, line 25, add ("where one or more schools are under the same managers, the said schools shall, if the managers so desire, be deemed for the purposes of this Act to be one school.")—(*The Bishop of London.*)

*VISCOUNT CRANBROOK: Where they are under the same management, whether they are in the same building or not, although they are different departments, they would be practically one school. I have no objection to that. It seems to me very beneficial that managers should be able to return their schools as one and manage them as they please.

Amendment agreed to.

Clause 5 agreed to.

Clause 6.

*THE BISHOP OF LONDON: My Lords, I have put down an Amendment upon this clause which gives to the School Boards a kind of power far greater than they now have. According to the section as it stands a School Board which is elected under a different state of conditions formed to do certain things, is now empowered, without any reference to the ratepayers, to do something more. It seems to me this is distinctly unjust to the ratepayers, and unless, with their consent, the School Boards ought not to have such power. That a School Board should be allowed, perhaps in the enthusiasm of a sort of education frenzy, which I think is not unknown at the present time, to put a very heavy burden on the rates such as that, and that they should have no authority from the ratepayers to do it, seems to me a very gross injustice; and remember, also, my Lords, if this is done by a School Board it cannot be undone. You cannot make the schools fee paying which have ceased to be fee paying, and you are giving the School Boards the power of doing this once for all. The ratepayers may turn the School Board out at the next election, and may elect a number of members to the new Board, pledged to the opposite policy, but their new School Board would be entirely powerless. It seems to me we ought not to consent to such a power being given to existing School Boards.

Amendment moved,

In page 3, after Clause 6, to add the following proviso ("Provided that no additional burden be thereby be laid upon the rates without the consent of the ratepayers, to be ascertained by the Education Department in such manner as they shall think fit.")—(*The Lord Bishop of London.*)

*VISCOUNT CRANBROOK: My Lords, this seems to me somewhat like the case of the triennial Parliament which voted itself septennial. The School Boards are the only bodies we can deal with, and I would point out that in providing here that School Boards should not be prevented admitting scholars to Board schools without requiring any fee, you will enable every voluntary school to act to-morrow if it pleases. The fact is that the School Boards whose school pence are under the 10s. grant will become at once free. The right rev. Prelate would prevent a school which had, say something more than 10s., taking that sum as an equivalent, when the voluntary school

next door to it could do that if it pleased. I think you must put them both on the same footing. If the School Boards go beyond the powers entrusted to them, I think their constituents may be trusted to appoint another Board. But there is the question whether they may not consider it a good thing at some time or other that they should charge fees. That may come hereafter, but it was not a good thing to exclude this power if it should be necessary for educational purposes.

*THE BISHOP OF LONDON: I do not think that is quite a sufficient answer. In the first place it is clear, if the managers have the power, they cannot use it because their subscribers might decline to subscribe. It is quite different with the School Boards. They have power to compel payment of rates; but the managers of voluntary schools cannot at all compel the payment of voluntary subscriptions, and the two do not stand on the same footing. It is true that by a kind of roundabout process the Education Department might allow a School Board to impose fees, but one knows that the thing is not easily done; and it seems to me there is an injustice done in the very beginning. It is quite true the School Board is the representative of the ratepayers, and that other representatives may be elected if they do anything which is thought wrong. It is not parallel to the case of electing representatives to Parliament, because every person when he votes for the election of a Member of Parliament knows perfectly well he is voting for a Member of Parliament who will have very extensive powers. But he knows it, and votes with that knowledge. When the ratepayers vote for members of the School Boards they elect them with the idea that these men are to have such and such powers, and no others; and now it is proposed to give them the power of saddling the ratepayers with a very considerable additional burden. I really cannot see how it is possible to defend it.

*THE BISHOP OF MANCHESTER: My Lords, I am sorry to have to interfere in this matter, but I do represent a large number of persons who will be seriously affected by this Bill. It will affect all the voluntary schools, and particularly those in Lancashire and Yorkshire. I have heard it said, "Oh! it is only Lancashire and Yorkshire;" but in the last Census your Lordships may have observed that the population of Lancashire and Yorkshire is more than 7,000,000, that is to say, a quarter of the population of England, nearly as large a population as Ireland ever had, a much larger population than Ireland has now. Unfortunately for these schools, but fortunately, perhaps, for the peace of Parliament, the inhabitants of Lancashire and Yorkshire are not discontented with the Government of this country. They are not represented by brilliant orators, who insist upon being heard, and, therefore, if, as a humble Member of your Lordships' House, I venture to speak a word for them, I hope that I shall be excused. I have recently had a Return made of what will be the effect upon voluntary schools of the substitution of fees for the fee grant, and I find that in general we have been in the habit of getting 14s. a head in my diocese, and now we should have a fee grant, of course, in lieu of it. Thus we have 4s. a head to make up in some way; and the question is how we are to make it up. Obviously, we must do all we can to increase our voluntary subscriptions, but we hope to avail ourselves of the clause in this Bill which enables the balance of 4s. to be charged as a low fee. But if all the voluntary schools in Lancashire are made instantly free—and the Salford School Board have let it be known that they intend to make theirs free, and other rumours of a disquieting kind are afloat—I am quite sure we shall not be able long to charge school fees at all. I have lived for a long time in Victoria, and have watched the progress of education there, and I can assure your Lordships as soon as education became free to all who chose to accept it, it was found to be impossible to go on charging fees. We do not object to the freeing of the Board Schools if this be done with the knowledge and consent of those who contribute the money. If, after the ratepayers are consulted, they desire to have their schools made free, we are willing to do our best under the circumstances, but there is a kind of fanatical enthusiasm which one sees occasionally, and School Boards are not always in harmony with

the opinions of the ratepayers. Any School Board will be doing an act which will be all but irreparable if it makes these schools free. Power is given under this Bill to the Department to re-impose fees in two cases. The first is when there is a change in the population, the other is when the improvement in the education of the district requires it. But it is nowhere provided that a fee shall be imposed when the ratepayers take a fit of economy. How do we know that the course taken by a School Board now will be in harmony with the opinion of the ratepayers in the future? We do not want anything to be done in a hurry, to be done with precipitancy, and I think the right rev. Prelate's Amendment will have no effect permanently in hindering the making of Board schools free, and will only hinder persons who may be a little too much disposed to extravagant expenditure from carrying out their views until the opinion of their constituency can be ascertained, and then we shall all have to submit.

On Question, their Lordships divided: —Contents 29; Not-Contents 36.

Clauses 6 and 7 agreed to.

Clause 8.

VISCOUNT CRANBROOK: There is an Amendment upon this clause in the name of Lord Sandford, I have spoken to him about it. He proposes to put in two Articles, 12 and 13, of the Code of 1891. That, I think, is objectionable, but I will put in the words "the minutes at the commencement of the Act."

EARL SPENCER: The noble Viscount charged me earlier in the evening with proposing to stereotype certain things, but I hope he will not stereotype the minutes of this year. It seems to me there ought to be a little latitude allowed to the Department in this case, and that it is not right to stereotype the minutes of a particular year.

VISCOUNT CRANBROOK: There is only this, that when you are giving a definition, you must give a definition of something certain, and the events which may happen in future years are of course uncertain. The question is how we fix an average attendance now. That is the important thing.

The Bishop of Manchester

Amendment moved, to insert at the end of Clause 8, the words "in force at the commencement of this Act."—*(The Viscount Cranbrook.)*

Amendment agreed to.

Clause 8, as amended, and remaining clauses, agreed to.

Standing Committee negatived; Report of amendments to be received on Thursday next; and Bill to be printed as amended (No. 244.)

RANGES BILL.—(No 238.)

Amendments reported (according to order); and Bill to be read 3ª To-morrow.

CHARTERED ACCOUNTANTS BILL [H.L.]—(No. 230.)

House in Committee (according to order); Bill reported without amendment; and re-committed to the Standing Committee.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 123.)

Read 3ª (according to order) with the amendment, and passed, and returned to the Commons.

SLANDER OF WOMEN BILL.—(No. 233.)

RETURNING OFFICERS (SCOTLAND) BILL.—(No. 191.)

Read 3ª (according to order), with the amendments, and passed, and returned to the Commons.

House adjourned at ten minutes past Eight o'clock, till To-morrow, Ten o'clock.

HOUSE OF COMMONS,

Monday, 20th July, 1891.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 296.)

Lords Amendments to be considered forthwith; considered, and agreed to.

SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL.—(No. 49.)

Special Report from the Select Committee, with Minutes of Evidence, and

an Appendix, brought up, and read. [Inquiry not completed].

Bill reported, without Amendment.

Report, and Special Report, to lie upon the Table, and to be printed. [No. 350.]

TOWN HOLDINGS.

Lords Message requesting a Copy of the Report from the Select Committee on Town Holdings, considered.

Ordered, That a Printed Copy be communicated.

CLOSURE OF DEBATE (STANDING ORDER No. 25.)

Return ordered—

"Respecting application of Standing Order No. 25 (Closure of Debate) during Session 1890-91 (in the same form as, and in continuation of, Parliamentary Paper, No. 369, of 1890.)"—(*Mr. Henry H. Fowler*).

ADJOURNMENT MOTIONS UNDER STANDING ORDER No. 9.

Return ordered—

"Of Motions for Adjournment under Standing Order No. 9, showing the Date of such Motion, the Name of the Member proposing, the Definite Matter of Urgent Public Importance, and the Result of any Division taken thereon in the Session 1890-91 (in the same form as, and in continuation of Parliamentary Paper, No. 370, of Session 1890.)"—(*Mr. Arthur Elliot.*)

QUESTIONS.

ILLITERATE VOTERS AT CARLOW.

MR. J. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Attorney General for Ireland whether he can state to the House the number of illiterate voters who polled at the recent election at Carlow, and what members of the Roman Catholic clergy acted as personation agents at that election?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed that, according to the Official Returns furnished, the number of electors who voted at the recent Carlow election was 5,294, of whom 829 voted as illiterates. The number of polling stations open at this election was 17, and at 10 of these there were Roman Catholic clergymen acting as personating agents.

MR. J. POWELL WILLIAMS: I beg to give notice that I will early next Session move for leave to introduce a Bill to further secure the secrecy of the ballot by abolishing the office of personation agent, and by other means.

MR. T. M. HEALY (Longford, N.): I wish to know what number of illiterate electors voted at the election at Carlow in 1885; also how many landlords' agents acted as personation agents?

MR. MADDEN: At the previous contested election in 1885, 5,627 electors voted, and of these 1,019 voted as illiterates.

MR. WEBSTER (St. Pancras, E.): When will the Return as to illiterate voters ordered at the commencement of the Session be issued?

MR. MADDEN: I am afraid I must ask for notice of that question.

TELEGRAPH REGISTERED ADDRESSES.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General what is the total number of merchants, firms, and other persons who have registered addresses in the Telegraph Department of the Post Office; and what amount of money was received for registering addresses last year?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to say that the total number of registered telegraphic abbreviated addresses is 39,335, and that the sum received during the financial year ended the 31st March last for the registration of such addresses was £41,321.

GOVERNMENT CONTRACTS AND WORKMEN'S WAGES.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether, when he satisfied himself that a wage at the rate of 7½d. per hour for some of the painters, in connection with the Government contract taken by Messrs. Holland and Hannen, represented a rate of wage generally accepted as current for competent workmen, he took any evidence except that of Messrs. Holland and Hannen themselves; whether he is aware that the usual pay given to painters by other large firms, and by Messrs. Holland and Hannen themselves for most of their work under private contract is at the rate of 8½d. per hour; and what number of painters are en-

gaged in connection with the contract, and at what rate per hour are they being paid?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): Besides the statement of Messrs. Holland and Hannen, I had before me the tenders of the other firms who competed for the Government contract referred to in the question, and these seemed to me to confirm that statement. On further inquiry, I have ascertained that the current rates of wages for painters at present range from 7d. to 8½d., and, therefore, in fixing the minimum rate for our contract at 7½d., we have placed it rather above than below the minimum of what is at present paid in the general market. But 7½d. is the minimum rate at which ordinary painters employed by the Office of Works in day work may be paid; and, as a matter of fact, out of 44 painters so employed during the week before last, 39 were paid at the rate of 8½d., only five being paid at the minimum rate of 7½d., and this proportion may be said to have prevailed during the contract; but, of course, the wages would vary with circumstances within the limits assigned.

THE LICENSING ACTS.

MR. AGG-GARDNER (Cheltenham): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a circular issued by the Chief Constable of Monmouthshire to the police, in consequence of a Resolution of the Joint Committee urging increased vigilance on the part of the police as regards breaches of the Licensing Acts, the circluar informing them that their chances of promotion will be lessened in districts where there have not been sufficient number of convictions against publicans; and whether he has given any sanction to this method of administering the Licensing Laws; and, if not, whether he will take some steps to protect the holders of licences in Monmouthshire from vexatious prosecutions?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Chief Constable of Monmouthshire informs me that, in consequence of a Resolution of the Standing Joint Committee of that county urging upon him—

> "The necessity for increased vigilance on the part of the police in order that licence-holders serving intoxicated persons with drink should be vigorously proceeded against."

issued a general order to his force, in which he stated that—

> "Officers and constables who never report any irregularity in publichouses in districts where drunkenness is considerable will be considered to be wanting in vigilance and to have neglected an important duty, and that such constables must therefore not be surprised if they do not receive the increase in pay authorised to be granted to efficient officers and constables."

I have written to the chief constable asking him to consider whether this order is not likely to conduce to vexatious and ill-founded charges against publicans rather than to a prudent and well considered administration of the law.

H.M.S. *ANSON*—THE WRECK OF THE *UTOPIA*.

MR. WEBSTER: I beg to ask the First Lord of the Admiralty whether he is aware that at the time of the wreck of the *Utopia* 315 lives were saved, in many cases at great risk to the sailors; that the great bulk of these were saved by officers and men of the Channel Squadron, over 100 by those of H.M.S. *Anson* alone; whether for saving the minority, medals of the Royal Humane Society, Board of Trade, and Albert medals were freely and properly distributed to men of a Swedish man-of-war and others, some of the latter, it is said, incurring very little risk; whether whilst acknowledging that in saving life at sea British sailors simply do their duty, it is intended to let the gallant action of British sailors in this instance remain completely unrecognised by the Authorities; and whether his attention has been called to the report in a Gibraltar paper, which states that a boat from H.M.S. *Anson*, during the height of the gale, ran up between the masts of the wreck, where, regardless of the terrible danger they ran from capsizing, the crew maintained their position until they had saved the lives of those they went to rescue; this boat was commanded by a Naval Reserve Officer belonging to the *Anson*?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): I am fully aware of the gallant behaviour of the officers and men of the

Channel Squadron on the occasion of the foundering of the *Utopia* in Gibraltar Roads, and I understand that certain medals have been distributed to the officers and men of a Swedish man-of-war and certain British subjects for their conduct on that occasion. Where a whole squadron show exemplary gallantry it is difficult to single out individuals for special distinction, but the conduct of those officers and men of the Navy whose actions were particularly noticed has been duly recorded in their favour at the Admiralty. The history of the Navy contains numerous examples of similar acts of gallantry, and it is the feeling of the Board of Admiralty that, in simply expressing their warm appreciation of the services performed by the whole squadron on this sad emergency, they were adopting a course fully in accord with the traditions and feelings of the service at large.

ALIENS.

MR. WEBSTER: I beg to ask the President of the Board of Trade whether any steps have yet been taken to check the Returns rendered by the masters of vessels under the Alien Act of Will. IV., by systematically counting the number of aliens on board, and comparing them with the master's Return; and, if so, at what ports this systematic counting has taken place?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Returns of aliens made by masters of vessels under the Alien Act of Will. IV., have been systematically checked by counting at certain intervals the number of aliens on board the ships arriving at each port, and comparing the numbers so obtained with the numbers in the master's Returns. The ports at which the aliens have so far been counted in this manner are Dover, Goole, Grimsby, Harwich, Hull, Leith, Liverpool, London, Newcastle, North and South Shields, Sunderland, and West Hartlepool.

MR. WEBSTER: Will the right hon. Gentleman say when these Returns will be issued?

*SIR M. HICKS BEACH: I believe they are published monthly, and the Return for June has already been given.

EGYPTIAN COTTON CROP.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether any Reports have been received by Her Majesty's Government, through Her Majesty's Agent and Consul General in Egypt, showing approximately to what extent, or in what way, the cotton crop would be increased by the provision of the additional supply of summer water referred to by Her Majesty's Agent and Consul General in his recent Report (Egypt, No. 3, page 14); whether he could furnish the House with a summary of the Reports in question; whether an offer has recently been made by Mr. Cope Whitehouse to defray any expenditure that would be incurred in printing the maps, Reports, and Papers relating to his project, or such portions of them as it might be expedient to publish; and whether this offer has been, or will be, accepted?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No further information has been received than that given in Egypt, No. 3, 1891. Mr. Whitehouse offered to defray all the cost of putting the facts in an accessible form for those eminent engineers and other experts who are Members of the House of Commons. Mr. Whitehouse was informed on the 2nd inst. that—

"It rests with the Egyptian Government to consider with their technical advisers what measures should be taken for improving the water supply of Egypt;"

and his offer was, therefore, not accepted.

*MR. SUMMERS: When will a decision as to Mr. Cope Whitehouse's scheme be given?

*SIR J. FERGUSSON: I understand that the Egyptian Government propose to take other proceedings, and the decision rests with them.

INSPECTION OF WARLIKE STORES.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Secretary of State for War whether any reduction has been made, or is proposed to be made, in the establishment of officers employed under the Director General of Artillery in the inspection of warlike stores; and, if so, on what grounds, the work of that Department being stated not to have

decreased either in amount or importance within the last year?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): In consequence of the large orders for warlike stores, it has been necessary for some time past to employ temporarily additional Inspectors. A decrease in the orders for a particular class of guns and ammunition has rendered it possible to dispense for a time with three of these additional officers.

RECRUITING OF THE ARMY AND EMPLOYMENT OF DISCHARGED SOLDIERS.

SIR H. HAVELOCK-ALLAN: I beg to ask the Secretary of State for War whether the Report of the mixed Committee on the questions of the Recruiting of the Army and the Civil Employment of Reserve and Discharged Soldiers will be presented to the House before the close of the present Session, and in time to allow a discussion on the subject before the House rises; if not, about what time it may be expected to be laid upon the Table of the House; and what steps, if any, he proposes to take in these important matters in the meantime?

MR. E. STANHOPE: I understand that it will not be possible for the Committee on the Terms of Service to report during the present Session. As regards the presentation of the Report to Parliament, I cannot make any promise until I have seen it. In the meantime, the Recruiting Department will make every effort to obtain the necessary recruits under existing regulations.

AN IRREGULAR QUESTION.

MR. ATKINSON (Boston): I beg to ask the Chancellor of the Exchequer if he will fix a day for the much-needed Coinage Bill? I have to complain that the question as handed in to the Clerk at the Table has been altered.

MR. T. M. HEALY: I rise to a point of order. I beg to submit that the question is irregular. It speaks of "the much-needed Coinage Bill," and is, therefore, controversial.

*MR. SPEAKER: The question, as handed in, must have been full of errors, if the hon. and learned Member has now discovered another.

MR. ATKINSON: I beg to say that I shall not ask the question in its present state. As the father of the original question, I will not have that which stands on the Paper affiliated upon me.

MAIL SERVICE AT OBAN.

MR. SOMERVELL (Ayr, &c.): I beg to ask the Postmaster General whether, in view of the increasing importance of Oban, and that meetings of the County Council for Argyllshire are held there, he is now in a position to undertake to continue the present service of mails throughout the year?

*MR. RAIKES: I am sorry to inform the hon. Member that from the inquiry which has been made in this matter, it appears that the Railway Company could not arrange to continue throughout the year the summer working of the night mail train to Oban without a much larger additional payment than the circumstances warrant me in sanctioning.

DR. KLEIN.

MR. W. M'LAREN (Cheshire, Crewe): I beg to ask the President of the Local Government Board whether Dr. Klein is a permanent salaried official of the Local Government Board, or whether he merely makes an annual Report regarding his own private experiments; what salary or remuneration Dr. Klein receives; whether any, and if so which, of the inoculation experiments referred to in his last Report were performed with diphtheritic membranes received from the Fulham Fever Hospital, and which of them were made in England; and whether, to prevent future misunderstanding, he will request Dr. Klein to specify in future Reports which of his experiments are made in England and which abroad?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): Dr. Klein is not a permanent salaried officer of the Local Government Board. He makes an annual Report upon researches conducted by him on behalf of the Board and in furtherance of sanitary science. The remuneration which he received during the last financial year was £670. I have communicated with Dr. Klein, whose researches I regard as of great importance, and I learn from him that none of the experiments re-

ferred to in his last Report were performed with diphtheritic membranes, all experiments being made with subcultures of the diphtheritic bacillus. All the experiments made on the guinea pigs, and these alone, were made in England. Dr. Klein will in future specify in his Reports to the Board which of his experiments are made in England and which abroad.

*MR. M'LAREN: May I ask the right hon. Gentleman whether the experiments which he says have been made on behalf of the Local Government Board are those on cats' eyes, which are described in Dr. Klein's Report?

*MR. RITCHIE: If the hon. Member means whether any specific instructions have been given to Dr. Klein as to the nature of his experiments and the places where they were to take place, I have only to say that no instructions were given. Dr. Klein has made experiments of great value to sanitary science, but we really do not know when or where they were made.

PORT OF SPAIN.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for the Colonies whether he is aware that the existing waterworks at Port of Spain were constructed for a population not exceeding 15,000, and that the population is now between 40,000 and 50,000; that the water is polluted, in the first instance, by the open drainage of the native village of Maraval, and is subsequently conveyed to the inhabitants of Port of Spain without the intervention of any filter beds; whether anything has been done to carry out the recommendations for an improved water supply of Mr. Unsworth, who was sent out to report on this question to Her Majesty's Government 15 years ago, or those of Mr. Tanner, the Director of Public Works; whether he is aware that, after the disastrous fires of February last, the Coroner, at an inquest on 12 bodies, found that

"The present water supply of Port of Spain is inadequate to cope with any fire of great magnitude";

and whether, as Mr. Tanner is in England, steps will be immediately taken, in concert with him, to move the Local Authorities to action in this matter?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): When the existing waterworks at Port of Spain were constructed, the population of the town was probably between 15,000 and 20,000, and it is now over 40,000; but the Assistant Director of Public Works reports that even during the recent severe drought the daily water supply has been about 62 gallons per head. The Maraval River, which is the principal source of the supply, passes through the village of Maraval, and the water is not filtered. Mr. Unsworth's recommendations were not carried out except to a small extent. Those of Mr. Tanner were submitted in December last, and are now under the consideration of the Local Government. No steps have yet been taken to carry them out. The Coroner's verdict, at the inquest on the bodies of the persons who lost their lives in the fires of February last referred to, did contain the words that—

"The present water supply of Port of Spain is inadequate to cope with any fire of great magnitude."

The Secretary of State does not think it necessary to put any special pressure on the Local Authorities. They have shown their sense of the importance of the matter by requiring Mr. Tanner to report, and they will doubtless not fail to give full consideration to his proposals.

WEST INDIAN DEPENDENCIES.

SIR T. ESMONDE (Dublin Co., N.): I beg to ask the Under Secretary of State for the Colonies is it the wish of Her Majesty's Government to effect a confederation of all the West Indian Dependencies of the Crown, and, if so, what steps have been taken to inform the inhabitants thereof; and is he aware that, while the people of the West Indies would welcome any change which enabled them to secure the boon of representative Government, they are decidedly averse to the amalgamation of the existing small Crown Colonies into one large replica of the same, under which the administrative ills they suffer and complain of would become intensified?

BARON H. DE WORMS: Her Majesty's Government have not had under their

consideration, and have no present intention of proposing, a confederation of all the West Indian Colonies. They do not know what would be the general feeling of the inhabitants of these colonies towards a proposal to amalgamate the small Crown Colonies into one Crown Colony. Only a small portion of the inhabitants of these colonies is at present sufficiently educated to be fit for responsible Government; but I cannot admit that they suffer or complain of administrative ills under Crown Colony Government.

THE WINDWARD ISLANDS.

SIR T. ESMONDE: I beg to ask the Under Secretary of State for the Colonies whether, in spite of the protest of the people of Grenada, Colony of the Windward Islands, the Secretary of State for the Colonies has instructed the Governor of the colonies to curtail the power of the local Parochial Boards by reducing them to Municipal Councils, with power to administer, in the majority of cases, townlets with populations not exceeding 400 to 500 inhabitants; would the Secretary of State be disposed to increase the power and responsibility of such Parochial Boards to the extent of converting each within its own sphere into the responsible authority for the maintenance of public roads, second grade schools, and sanitary arrangements, and the distribution of poor relief; is the Secretary of State prepared to extend this system to the islands of St. Lucia and St. Vincent in the same colony; and for what conditions towards a closer federation of these islands would this increase of the powers of the Parochial Boards be granted?

BARON H. DE WORMS: The Secretary of State has given no instructions to the Governor of the Windward Islands to curtail the powers of the Parochial Boards in Grenada. The Secretary of State does not propose to suggest to the Colonial Government any extension of the powers of the Parochial Boards in Grenada or the extension of the system of Parochial Boards to St. Vincent and St. Lucia, either in connection with proposals for a federation of these islands or otherwise. Should he receive any proposals on these subjects from the Governor-in-Chief of the Windward Islands, they will receive due consideration.

MELLING SCHOOL, ORMSKIRK.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the management of Melling School, Ormskirk, with regard to which it is alleged that the vicar refuses to consult his committee, tells them they have no power whatever, and will not let them see the school books; and whether he will direct inquiries to be made upon the subject?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Department have no information as to the provisions of the deed under which the school is managed; but the Returns appear to have been signed each year by three persons described as managers; if the vicar is acting in excess of his legal rights, it is obvious that those associated with him in the management have a remedy at law; but the Department have no power to interfere in their behalf so long as the requirements of the Code continue to be fulfilled.

THE NAVAL MANŒUVRES.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the First Lord of the Admiralty whether in the manœuvreing of the Fleet it will be necessary to coal at Leith Roads; whether the Admiralty intend to take in Scotch coal, or to bring coal from Wales; what is the estimated cost per ton of the Welsh coal delivered at Leith Roads; what is the estimated cost per ton of Scotch coal delivered at the same place; and whether in the manœuvres of the Fleet it is important to test the facilities with which local coal may be obtained, and the comparative value of such local coal when employed in Her Majesty's ships?

LORD G. HAMILTON: The ships of the Northern Fleet will fill up with coal in Leith Roads before the manœuvres begin. The coal will be brought from Wales. As coal will be required at more than one place, either in Scotland or England, the colliers have been taken on a "time charter," so that they can be moved wherever the coal may be wanted.

The estimated cost of the coal required for the manœuvres is 24s. 6d. a ton, including hire of colliers for one month. It could, however, be delivered direct at Leith on a "voyage charter" for about 20s. a ton. The price of Scotch coal delivered to ships in Leith Roads would probably be about 12s. 6d. a ton. A test of the nature suggested is not considered to be important, as the supply of coal to Her Majesty's ships in time of war must be provided in such a manner as to be handy wherever and whenever wanted; and it is one of the objects of the manœuvres to test the arrangements made to meet such wants. The question of the comparative value of Scotch and other coals has been fully tested and considered, and it has been decided not to use such coals to any considerable extent on board Her Majesty's ships.

WOMEN AS FACTORY INSPECTORS.

MR. O. V. MORGAN (Battersea): I beg to ask the Secretary of State for the Home Department whether he is aware of the fact that the Governor of the State of Massachusetts has recently appointed two women as factory inspectors; and whether he is prepared to follow this example?

MR. MATTHEWS: I have no information as to what has been done by the Governor of the State of Massachusetts, and upon this subject I must refer the hon. Member to previous statements made repeatedly by me in the House. The present system of inspection has worked well and to the satisfaction of all concerned, and I have no evidence before me to induce me to think a change is necessary.

THE BRISTOL POSTMEN.

SIR J. WESTON (Bristol, E.): I beg to ask the Postmaster General whether he can state when the Bristol postmen, who applied for an advance of wages more than 12 months ago, are likely to receive such advance; whether they were led to believe that their application would be entertained at the same time as the application of the sorters of the Bristol Post Office; and whether, up to the present time, the Bristol postmen have received no advance whatever, whilst the sorters have been in receipt of an advance of 4s. per week for several months past? I may say that the statement made by the right hon. Gentleman on Friday greatly anticipated my question, and I will only ask now on what date the new scheme will take effect?

*MR. RAIKES: The hon. Gentleman has asked me one question with notice, and he now asks another without notice. I will reply to the question on the Paper. The Treasury have just sanctioned a scheme under which higher wages will be given to postmen throughout the United Kingdom, and the Bristol postmen will share in the benefits of the scheme, which will be carried out without delay. They were not led to believe that their application would be entertained at the same time as the application from the sorters.

THE BURIAL ACT.

MR. J. BRIGHT (Manchester, S.W.): I beg to ask the Secretary of State for the Home Department whether he has received three Memorials from the officers and members of three Nonconformist congregations in the parish of Holy Trinity, Ashton-in-Makerfield, Lancashire, representing that, notwithstanding an intimation to the incumbent from the Home Office that such a notice is not consistent with the object and provisions of the Burial Act of 1880, the accounts of burial payments for the churchyard of that parish continue to state that a "breadth," or grave, "is appropriated on condition that no other than the Church of England Service is ever used," and that new graves have been refused by the rector when the Church of England Service has not been required, and that, as a result, parishioners who would otherwise have availed themselves of the Act of 1880 have, in order to obtain new graves, submitted to have a Church of England Service; whether he will grant an official inquiry into the facts, with a view to obtain the withdrawal of such intimation, and the impartial exercise of the incumbent's discretion in respect of burials, without regard to the burial services which may be performed; and whether any, and what, answer has been given to the memorialists?

MR. MATTHEWS: Yes, Sir; I have received three such memorials. I have more than once made inquiry into this matter, and the results were given in answer to questions in this House on

August 13 of last year and March 10 of this year. I stated on both these occasions that the question at issue between the vicar and the complainants was one of law, which I had no jurisdiction to determine; and I have answered the petitioner in that sense.

MOMBA AND NYANZA.

SIR W. HARCOURT (Derby): I beg to ask the Chancellor of the Exchequer whether, after the pledge given some time ago that the Government would not introduce or proceed with any new contentious business not already particularly specified, they intend to press on the consideration of the House the proposal, for the first time brought forward in the Supplementary Estimate delivered last Friday, for a Grant in Aid of the cost of surveys for a railway from Mombasa to Lake Victoria Nyanza?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I think the right hon. Gentlemen has amplified the terms of the pledge which has been given by the First Lord of the Treasury with regard to the business of the House. I cannot find that he has said that he would not introduce or proceed with any new "contentious business" not already particularly specified. The questions to which he replied related to Bills only, and his answers were subject to the same limitation. He has used the term "measures," but only in such context as shows clearly that it was synonymous with Bills. However, I am extremely anxious not even to afford colour for the suggestion that we have departed one inch from the spirit of the declaration which we have made to the House as a whole, that we would do our best to bring the Session to a close as near as possible to July 31, and if I gather that the Estimate in question is likely to be considered so contentious as to militate against that early termination of the labours of the House, I will undertake not to proceed with the Vote this Session; but it must be distinctly understood that this course cannot be held to imply any change in the policy which both the part taken by Her Majesty's Government at the Brussels Conference and the broadest considerations connected with the suppression of the Slave Trade have, in our judgment, made it imperative upon us to adopt.

SIR W. HARCOURT: Upon that answer I may say that from a communication I have received this morning from my right hon. Friend the Member for Mid Lothian, I may assure the right hon. Gentleman that this measure is regarded as in the highest degree contentious, and therefore I hope I may take it for granted, of course taking note of what the right hon. Gentleman has said, that the measure will not be pressed this Session.

MR. GOSCHEN: If I understand the right hon. Gentleman to speak in the name of his Party in saying that this measure will be regarded as a contentious matter, and likely to militate against the early termination of the Session, then I will undertake not to proceed with it this Session.

Subsequently,

MR. BRYCE (Aberdeen, S.) said: I beg to ask the Chancellor of the Exchequer whether the note to the Supplementary Estimate just issued (Class V., No. 6), proposing that a sum of £20,000 shall be voted for a preliminary survey for a railway from the coast of East Africa to Lake Victoria Nyanza, is correct in stating that

> "The course of the projected railway will be entirely within the British Protectorate in East Africa;"

and if the note is not correct in that statement, what, in the view of Her Majesty's Government, is the nature and extent of the authority exercised or claimed by this country in those inland regions of East Africa which lie to the east and south-east of the northern part of Lake Victoria Nyanza, and which the projected railway is intended to traverse?

MR. GOSCHEN: The course of the projected railway will be entirely within the British sphere, though it will extend beyond the limits of the Dominions of the Sultan of Zanzibar, over which a British protectorate has been declared. The authority exercised or claimed by this country in the regions alluded to in the second paragraph is that vested in the Imperial British East Africa Company under the terms of its charter. Most of the tribes through which it is expected that the line will run have

already entered into Treaties accepting the protectorate of the Imperial British East Africa Company.

*MR. BRYCE: May I ask the right hon. Gentleman whether, when he said that the tribes through which the railway is to run had accepted the protectorate of the British East Africa Company, it is to be understood that they had accepted the protectorate of this country?

*MR. GOSCHEN: No, Sir; I said that the protectorate of this country goes as far, I understand, as the Dominions of the Sultan of Zanzibar. Beyond that it is a sphere of influence.

*MR. BRYCE: Is it not the case that the Dominions of the Sultan of Zanzibar are only a narrow strip along the east coast?

*MR. GOSCHEN: I must ask my right hon. Friend to give notice of this question. I am not so familiar with the geography of this region as he is.

SIR W. HARCOURT: Does a sphere of influence mean British territory?

*SIR J. FERGUSSON: That is a question I have answered a good many times. A sphere of influence defines the area within which this country may enter into Treaties with the tribes; and until the tribes have entered into agreements with us we exercise no power or act of sovereignty.

SIR W. HARCOURT: Will the right hon. Gentleman amplify his answer by saying whether, when a Treaty has been made with a tribe of a country, that country becomes British territory over which the British Government is responsible?

*SIR J. FERGUSSON: That depends on the terms of the Treaty.

CAPE TOWN.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the Under Secretary of State for the Colonies whether, at the time the construction of a dry dock at Cape Town was in contemplation, the Treasury was asked to afford financial assistance to the undertaking; if he would state what was the nature of financial assistance applied for; whether, in return for such financial aid from the Treasury, any, and if so, what advantages were offered to the Imperial Government as regards securing to Her Majesty's ships docking accommodation at Cape Town; whether the Cape Government were parties to, or approved of, these proposals; what was the date of the application; from what date to what date did the correspondence extend; whether the application was rejected by the Treasury; and, if so, on what grounds; whether any suggestions were made by the then Chancellor of the Exchequer as to an alternative means by which financial assistance might be obtained from other sources; and, if so, of what nature; and whether the dry dock was ultimately constructed at Cape Town independent of financial assistance from the Treasury, and without any arrangement for securing to the Imperial Government priority of use of this dock to Her Majesty's ships in peace or in war?

BARON H. DE WORMS: As far as the Colonial Office was concerned, the correspondence on the original construction of a dock at Cape Town began on October 7, 1865, and ended on January 18, 1876. The correspondence opened with a letter from the Admiralty of 1865, offering to give the Table Bay Harbour Commissioners the benefit of the Colonial Docks Loan Act (28 and 29 Vict., cap. 106) on condition that the dock was made capable of holding vessels of a certain size. The Table Bay Harbour Board hesitated to accept the offer, as the provisions of the Act appeared to be too onerous as regards sinking fund and interest. The Admiralty expressed itself as willing to recommend the introduction of an amending Bill into the Imperial Parliament; but the matter hung fire, and in November, 1870, the Treasury, in a letter to the Admiralty, offered to guarantee the Dock Commissioners a rent of £2,924 for 10 years from the docks, when completed, on certain conditions. In the course of the correspondence on these proposals the Harbour Commissioners made an alternative suggestion that the Imperial Government should contribute half the cost of the dock, not exceeding £30,000. The Admiralty agreed to this proposal on condition that Her Majesty's ships had priority of the use of the docks, on giving ten days' notice, for a period which was finally fixed at 30 years. The agents for the Cape Colony then prepared an agreement to carry out the arrangement. This draft agreement

formed the subject of considerable discussion between the legal advisers of the Admiralty, the agents of the colony, the Colonial Government, and the Harbour Commissioners, in the course of which the Colonial Authorities asked to have the Imperial contribution raised from £30,000 to £34,700. On August 5, 1875, the colony broke off the negotiations for reasons which, apparently, were not very clear to the Admiraliy. In December, 1875, Lord Carnarvon invited the Board of Admiralty to consider whether the negotiations could not be re-opened, but they declined to do so on the ground that they were not prepared to increase the amount already offered, and there the matter appears to have ended. The Colonial Office never had any correspondence with the Treasury on the question, and has no knowledge of the opinion which the Chancellor of the Exchequer may at that time have had about it. The dock was ultimately constructed independently of Imperial assistance; and as regards the facilities afforded to Her Majesty's ships I must refer my hon. Friend to the answer given on the 17th inst. by the First Lord of the Admiralty.

COMMUNICATION CORDS IN RAILWAY CARRIAGES.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the President of the Board of Trade whether he will consider the expediency of taking steps to compel Railway Companies to attach communication cords to all children's excursion trains, without regard to distance?

*SIR M. HICKS BEACH: The question of communication cords was carefully considered by the Legislature in 1868, when Parliament decided to limit the obligation of companies to trains travelling more than 20 miles without stopping. I do not propose to introduce further legislation on the subject, and I hardly see how it would be practicable to enact a law which should apply to children's excursion trains, and not to all excursion trains, or why excursion trains should be exceptionally treated in the matter.

MALTA.

MR. T. M. HEALY: I beg to ask the Under Secretary of State for Foreign Affairs, with reference to the following declaration of policy, contained in the Despatch concerning the affairs of Malta, of the Marquess of Salisbury, in August, 1889, to Sir J. L. Simmons—

"The great power of the principal clerical functionaries in Malta to influence the mass of the people renders it most essential that in their selection the Holy See should keep prominently in view the value of securing the services actuated by a friendly disposition towards this country, and prepared to support in all proper ways the reasonable directions of the Local Government;"

whether any such persons referred to in the Despatch have yet been appointed to any office in Malta?

SIR J. FERGUSSON: No high ecclesiastical functionaries have been appointed in Malta since January, 1889.

CAST-IRON RAILWAY BRIDGES.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Board of Trade whether he will grant a Return of the number of cast-iron railway bridges now in use in Great Britain and Ireland, with the dates of their construction?

*SIR M. HICKS BEACH: I have already issued a Circular calling upon the Railway Companies to furnish a Return which practically will contain amongst other information the particulars referred to in the hon. Member's question. This Return will be presented to Parliament in due course.

MAIL SERVICE TO STORNOWAY.

DR. M'DONALD (Ross and Cromarty): I beg to ask the Postmaster General if the mail steamer from Strome to Stornoway has twice within the last month called at Portree, on her way to the latter place, and so delaying her arrival there for three hours; and whether he will take such steps as to prevent this inconvenience to the people of Stornoway in the future?

*MR. RAIKES: Yes, Sir; special provision was given for the Stornoway Mail Packet to call at Portree on the 8th and 17th instant. I am assured that in neither case did any inconvenience result at Stornoway.

FOOT AND MOUTH DISEASE.

MR. MORRELL (Oxford, Woodstock): I beg to ask the President of the Board of Agriculture whether, having regard to a statement circulated by the

Agricultural Gazette, recently published in Berlin by the Royal Technical Council of Veterinary Affairs, to the effect that the great increase in foot and mouth disease in Prussia during the last quarter of 1890 is to be attributed chiefly to infection spread by the separated milk received from creameries and given to swine and calves, he is aware that any such effect is traceable in these Islands to such cause; and, if so, whether "separated" milk, as the harmful medium, is to be distinguished from "skim" milk obtained by other depleting agencies, *e.g.*, the Jersey Creamer; and whether, in view of the further statement that a Decree has been promulgated by the Prussian Minister of Agriculture prohibiting the creameries from sending out separated milk unless it has been previously heated to 100 degrees Centigrade, he will consider the propriety of issuing a Memorandum to allay apprehension, or in support of the Prussian Minister of Agriculture's Decree as the facts may determine?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am informed that all milk, whether separated or not, may be a fruitful agent in spreading foot and mouth disease, and the precautions of the Prussian Government would appear to be amply justified by the circumstances of that country. But the United Kingdom is now, and has been since 1885, free from foot and mouth disease, and the question, therefore, happily, does not appear to arise so far as this country is concerned.

THE ALBERT UNIVERSITY.

MR. SUMMERS: I beg to ask the Chancellor of the Exchequer whether the proposed Charter of the Albert University in London will abolish the religious tests at present imposed in King's College upon all teachers, with the exception of the Professors of Modern and Oriental Languages?

MR. GOSCHEN: When the Draft Charter has been submitted to the Committee in its amended form it will be laid before Parliament and will be open to discussion, but it is not usual for a Committee of the Privy Council to announce its decision until it has reported to the Queen.

POSTMASTERSHIP OF CAVAN.

MR. KNOX (Cavan, W.): I beg to ask the Postmaster General how many applications were received in reply to the official intimation of the recent vacancy in the Postmastership of Cavan; how many applicants had 10 to 15 years, and how many 15 to 20 years, and how many more than 20 years, of appointed service; what was the date of the Civil Service certificate of the person appointed; whether the appointment was made on the recommendation of the surveyor of the district, or of the Secretary to the Post Office in Dublin; and, if not, upon whose recommendation was it made; whether the recent vacancies at Enniskillen, Ballymena, and Letterkenny have all been filled by persons on the English establishment; and whether he is aware that a strong feeling of discontent has been caused by such appointments, both among the post officials in Ireland and the people of the districts concerned?

*MR. RAIKES: Altogether, for the Postmastership of Cavan, there were 35 applications. The salary of the office is £120 a year, and, without troubling the House with all the details into which the hon. Member invites me to enter, it may be sufficient to state that for such an appointment I feel myself qualified to make my own selection without his assistance. It is true that the offices to which the hon. Member refers have been filled by transfers from England, just as the offices at Wokingham and Workington have been filled by transfers from Ireland. From this interchange of appointments as between one part of the Kingdom and another I hope for satisfactory results.

*MR. KNOX: Arising out of the right hon. Gentleman's answer, may I ask if it is not the fact that I made no application whatever in the matter of this appointment until after the place was filled? I should scorn to ask for anyone the smallest post under a British Government. May I also ask whether, at a later date, he will be able to give further particulars as to this appointment, which is most unsatisfactory to the district concerned?

*MR. RAIKES: I think it would be wasting the time of the House to give further particulars.

*MR. KNOX: Have I made any application whatever in regard to this appointment?

*MR. RAIKES: No, Sir; the hon. Member has made no application in regard to the appointment, but he has shown a great wish to interfere with it.

IRISH MAIL SERVICE.

MR. KNOX: I beg to ask the Postmaster General whether he will consider the possibility of organising an improved mail service between Belfast and Cavan, Enniskillen, Armagh, and other towns on the Great Northern Railway, in connection with the proposed improved service between Belfast and the North of England and Scotland, *viâ* Larne and Stranraer?

*MR. RAIKES: The mails for Armagh will be accelerated under the new arrangements. No acceleration to Cavan or Enniskillen could be effected without the establishment of a new service of trains on the branch lines connecting those towns with Belfast: and that, too, at an expense which would be quite out of proportion to the amount of correspondence to be benefited.

CONGESTED DISTRICT COUNTIES IN IRELAND.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what counties in Ireland will in part be Congested District Counties, having regard to the approximate results of the Census of 1891, if the Lords' Amendment, proposing to insert £1 10s. instead of £1 6s. 8d. as the limit of average rateable value, be adopted by this House; and whether he will append to the map now placed in the tea room a list of the electoral divisions in which, according to the Census of 1891, the average rateable value is less than £1 10s.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): As a rule, the result of the new Census shows for the western counties of Ireland an even rise in the valuation per head of population to the extent that, for all practical purposes, the valuation of £1 10s. in 1891 covers the same area as the valuation of £1 6s. 8d. in 1881. The counties in Ireland which, under the proposed £1 10s. limit of valuation will in part be congested district counties are Donegal, Galway, Leitrim, Mayo, Sligo, Roscommon, Kerry, and the West Riding of Cork. I am having a fresh map placed in the Tea Room, showing the congested district counties on the £1 10s. basis. There is a slight possibility that Longford might be included when the revised figures are ascertained.

IRISH SUPPLEMENTARY GRANTS.

MR. T. M. HEALY: Is it intended to take any further Supplementary Vote in regard to the Irish Estimates before the close of the Session?

MR. A. J. BALFOUR: There is a Supplementary Vote already before the House. As far as my recollection serves me, there is no other Supplementary Estimate.

MR. P. SYNAN, OF KILKEE.

MR. JORDAN (Clare, W.): I beg to ask the Attorney General for Ireland is he aware that a case, in which Mr. Patrick Synan, of Kilkee, County Clare, late of Her Majesty's 70th Regiment of Foot, and his wife are concerned, has been before the County Court Judge for the past nine years, and still remains unsettled; and, considering the continuous quarterly attendance at Kilrush Sessions, and the expense attendant thereon, he will make inquiry as to the cause why judgment is so long delayed?

MR. MADDEN: The Clerk of the Peace for the County Clare reports that the case of "Synan *v.* Talty," referred to, was disposed of at Kilrush Sessions in January last. The County Court Judge dismissed the case without prejudice, from which dismiss no appeal was taken.

SCHOOL FEES IN IRELAND.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the parents of children in Ireland will have to continue paying school fees after the 1st September, and if, on the other hand, English parents will be exempt from that date; and if he can make no provision this Session to mitigate the loss to some Irish parents and to many school teachers which will arise from this difference?

MR. A. J. BALFOUR: It is the fact that the parents of school children in Ireland will be required to pay school fees after September 1, as it has not been found possible, as the hon. and gallant Gentleman is well aware, to pass the legislation necessary to relieve them of that burden. But the hon. and gallant Gentleman must recollect that no loss will occur to the Irish community by that transaction. The whole of the money which has been properly allocated to Ireland for the financial year will go to Ireland, and, it is not improbable, for educational purposes.

SALMON IN IRISH RIVERS.

MR. KING: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether any report has been made of a marked decrease of salmon on the upper waters of the Rivers Suir, Barrow, and Nore; whether instructions could be issued to the Inspectors of Irish Fisheries to scrutinise closely the private rights of using seine nets and working fishing weirs at the mouths of the rivers, and take measures by limiting the fishing season and diminishing the dimensions of draft nets in tidal waters to preserve the salmon from danger of extinction; and whether the Inspectors report that there is any reason to believe that the absence of sport in consequence of the interception of fish by nets and weirs has any effect in deterring anglers from protecting the fish in spawning season?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries report that for the last month advertisements have been inserted by them in the local papers, and otherwise extensively published, calling meetings at various places to inquire into the alleged diminution of salmon in the Suir, Barrow, and Nore, the general state of the salmon fisheries in the district, and the best means to be adopted for their regulation and improvement. The first of these meetings has just been held, and the whole matter is receiving the careful attention of the Inspectors.

MR. T. M. HEALY: I wish to draw the attention of the right hon. Gentleman to the Report of the Select Committee of two years ago dealing with the whole subject, which deals with the question of men fishing for a livelihood and fishing for sport and pleasure.

MR. A. J. BALFOUR: I quite agree that in any change in the salmon fishery laws, or any legislation on the subject, regard should be had to the interest of the community at large.

MR. DE COBAIN.

*MR. SPEAKER: I beg to inform the House that I have received certain documents with reference to Mr. de Cobain, and I have thought it right, looking to the fact that the conduct of the hon. Gentleman is to come before the House on Thursday next, not to delay communicating them at once to the House. The first communication I shall read is from Mr. Athol J. Dudgeon, acting as solicitor for Mr. de Cobain. He writes—

"July 18, 1891.

"Sir,—Referring to the Order of the House of Commons, requiring the attendance of Mr. E. S. W. de Cobain, Member of Parliament for East Belfast, in the House on the 23rd July inst., I, as the solicitor for Mr. de Cobain, and at his request, beg to hand you herewith a medical certificate as to the state of his health, and a statutory declaration verifying same. For the reasons stated in the declaration, I respectfully ask that proceedings under the Order of the House may be suspended until Mr. de Cobain has been able to return to the United Kingdom and meet the charges made against him.

"I have the honour to be,

"Your obedient servant,

"ATHOL J. DUDGEON.

"The Right Honourable the Speaker of the House of Commons."

With that letter is enclosed the statutory declaration of Mr. Athol J. Dudgeon, as follows:—

"I, Athol Johnson Dudgeon, of Clones, in the County of Monaghan, Ireland, solicitor, do solemnly and sincerely declare as follows:—

"1. I have been consulted by Mr. Edward Samuel Wesley de Cobain, Member of Parliament for East Belfast, in reference to certain charges which have been preferred against him, and in respect of which a warrant has been issued for his arrest.

"2. On the 16th day of July instant I had an interview with the said Edward Samuel Wesley de Cobain, at Boulogne-sur-Mer, France, in reference to the said charges and the Order of the House of Commons directing the said Edward Samuel Wesley de Cobain to be in his place in the House on Thursday, the 23rd day of July instant. He, at such interview, stated that the said charges were wholly without foundation, and were the result of a conspiracy, and that it always had been and still was his intention to return to Ireland to

meet the charges, but that ill-health had hitherto and still prevented him doing so, and he assured me that it was his intention, so soon as the state of his health permitted him to do so, to return and take his trial for such charges, and he instructed me to take the necessary steps for his defence to the charges and to retain counsel on his behalf.

"3. On the same 16th day of July instant I was present when the said Edward Samuel Wesley de Cobain was medically examined by Dr. Alfred Carr, who is a physician and surgeon practising in Boulogne aforesaid, and saw him write and sign the certificate now produced to me, and marked D.A., and I beg to refer to such certificate as showing the state of health of the said Edward Samuel Wesley de Cobain. The same certificate was in due course subsequently authenticated by the Deputy Mayor of Boulogne aforesaid, whose signature and seal of office were put thereto in my presence, and such certificate was further duly authenticated at my request at the British Consulate in Boulogne aforesaid, and the signature of the Vice Consul and the seal of the office were put to the document in my presence.

"4. For the reasons stated in the said certificate marked D.A. the said Edward Samuel Wesley de Cobain will be unable to comply with the Order of the House of Commons for his attendance, and I am instructed by him to request that the time for his attendance be extended until he has had an opportunity of taking his trial upon the charges aforesaid.

"5. As solicitor for the said Edward Samuel Wesley de Cobain, I say that if the House of Commons should proceed to pass any Order of expulsion against the said Edward Samuel Wesley de Cobain before he has had an opportunity of taking his trial as aforesaid he will be greatly prejudiced upon such trial, and, in fact, I believe that an Order for expulsion would render it impossible to obtain a fair and impartial trial, as such Order would be regarded as an expression of opinion by the House of Commons that the said Edward Samuel Wesley de Cobain was guilty of the charges preferred against him as aforesaid.

"And I make this solemn declaration, conscientiously believing the same to be true, under and by virtue of the Statutory Declaration Act, 1835.

"ATHOL J. DUDGEON.

"Declared at the House of Commons the 17th day of July, 1891, before me,

"FREDK. J. PENTON, J.P., Middlesex."

The only remaining document which I have received is the medical certificate, as follows:—

"69, Rue Faidherbe, Boulogne-sur-Mer,
July 16, 1891.

"I have this day examined Edward S. Wesley de Cobain, M.P. for East Belfast, and find him in the following condition of health:—

"He is suffering from extreme nervous prostration, and it would be very dangerous to incur the risk of any great mental excitement at the present time.

"I should advise a course of medical treatment for the next six weeks, and by that time I hope he may be sufficiently restored in health to allow him to appear in England to answer the charges which are being brought against him.

"At present I cannot sanction his going to England, as I feel that any extra mental worry might have the effect of rendering him quite unfit to defend himself in the unfortunate position in which he is now placed.

"He certainly will not be well enough to appear in his seat in the House of Commons on the 23rd of July, 1891.

"ALFRED CARR, M.R.C.S., L.R.C.P.
(Officier de Santé de France)."

"Pour légalisation de la signature de M. Alfred Carr, apposée ci-dessus.

"En l'Hotel de Ville, le 16 Juillet, 1891.

"Le Maire de Boulogne,
M. BRIFFARD, adj."

(Seal.)

"For the legalisation of the signature of the Mayor of Boulogne-sur-Mer.

"R. N. SURPLICE, British Vice-Consul,
Boulogne.

(Stamp.)

(Seal.)

"British Vice-Consulate, Boulogne,
July 17, 1891."

"This is the certificate marked D.A. referred to in the declaration of Athol Johnson Dudgeon, taken before me this 17th day of July, 1891.

"FREDK. J. PENTON, J.P., Middlesex."

This certificate is certified legally by the proper authorities at Boulogne.

MR. GOSCHEN: I do not think, Mr. Speaker, that the House would desire, upon the communication just laid before it, without having had some time to consider the matter, to come to any decision in regard to these documents one way or the other. I therefore abstain from laying any proposal before the House to-day.

MR. T. M. HEALY: When will the right hon. Gentleman be able to inform the House whether he proposes to proceed on Thursday next?

MR. GOSCHEN: Of course, I am aware that the matter is urgent, but I think the hon. and learned Member will feel that it requires to be considered. I should be sorry to give any pledge, but I do not think that any time ought to be lost with regard to it.

SITTINGS OF THE HOUSE.

Resolved, "That this House do meet To-morrow, at Ten of the clock, a.m."—(*Mr. Chancellor of the Exchequer.*)

MESSAGE FROM THE LORDS.

That they have agreed to,—Stamp Duties Bill, Stamp Duties Management Bill, Consular Salaries and Fees Bill, Municipal Registration (Dublin and Belfast) Bill, without Amendment.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

1. £2,764, to complete the sum for the Household of Lord Lieutenant of Ireland.

MR. T. M. HEALY (Longford, N.) asked whether an attempt had not been made to combine this Vote with that for the Chief Secretary's Office, whether that attempt had not been abandoned; and whether the House might take it that the two Votes would remain separate in future?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.) said, that a proposal had been made last year to combine the two Votes in question; that the proposal was abandoned, in consequence of a Report from the Public Accounts Committee and of opinions expressed in the House; and that the House might take it that the proposal would not be renewed.

Vote agreed to.

2. Motion made, and Question proposed,

"That a sum, not exceeding £26,793 (including a Supplementary sum of £322), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant in Dublin and London, and Subordinate Departments."

*(4.22.) MR. WEBB (Waterford, W.): I beg to move the reduction of the salary of the Chief Secretary by the sum of £1,000, and in doing so I wish to assure the Committee that I am not actuated by any personal motives; but that I simply desire to criticise the policy of the right hon. Gentleman. Some credit has been given to the right hon. Gentleman for the relief works which he has inaugurated in the distressed districts of Ireland; but while I am willing to join in giving him credit for what he has done in that direction, I am quite sure that nothing the people have derived from that source will reconcile them to the fact that the power of altering the law in that country is left to the arbitrary will of one person. The right hon. Gentleman has recently seen fit to withdraw some of the extreme provisions of the Crimes Act. Many of them were appalling in their severity, and it would be an immense gratification to the Irish people to see them repealed altogether. Merely laying them aside for a time and continuing full power to revive them at any moment is only, to my mind, calculated to keep alive a bitter feeling of hostility to the Government. I had a good opportunity last autumn of seeing a sample of what the policy of the right hon. Gentleman in Ireland really is, and how he chose to exercise the powers entrusted to him. I refer to the proceedings which occurred at Tipperary. I am aware that they have already been brought to the notice of the House, but as I was in Tipperary at the time, and had not an opportunity of taking part in the Debate, I should like to say a few words now. In doing so, it is not necessary to express an opinion regarding the Plan of Campaign. Whether it was right or wrong to put in force the Plan of Campaign has nothing whatever to do with the policy of electing to carry on the government of a country with a high hand and resorting to physical force. I went to Tipperary in September last, with many others, to witness the proceedings at the trial of Mr. William O'Brien and Mr. John Dillon. I think there were some 10 or 11 Members of Parliament present. When we reached the station there was a small crowd assembled to meet us, but there was no disturbance of any kind that could attract attention. Yet we hardly entered the street before we were met by an officer of police, who, although there was nothing but cheering heard, in a very excited manner ordered the constabulary to draw their batons. I believe that, but for the presence of several English Members of Parliament, the Irish Members would have fared badly. We congratulated ourselves that all cause for alarm was

at an end, but very soon found ourselves very much mistaken. In the course of an hour or two, when we went to the Court House, a scene took place the like of which I hope will never occur again in Ireland. Extraordinary precautions were taken at the Court House to admit only a few persons, and there was a cordon of troops and police drawn up. When I requested admission, Colonel Caddell asked me who I was, and on telling him that I was a Member of Parliament he allowed me to pass. When I and others reached the gate of the Court House we found a number of police officers, who refused to allow any but selected persons to enter. Mr. O'Brien and Mr. Dillon protested, and a disturbance arose, which resulted in the constabulary batoning the people right and left. I know that some stress has been laid upon the fact whether Mr. Harrison held up his hand or not.

THE CHAIRMAN: Order, order! I must point out to the hon. Member that what he is entering into now will be relevant to the Vote for the Magistrates and police, but is not relevant to the present Vote.

*MR. WEBB: What I wish is to show the Committee what the state of things was which subsequently received the approval of the Chief Secretary. The general feeling at first was that the Government would disavow the action of its officers, but instead of doing so the right hon. Gentleman expressed his full approval. If in England the police had endeavoured to prevent the people from entering a public Court, I believe the people would have asserted their right; and if there had been any collision with the police, the latter would have received all the blame for having attempted to keep them out. Of course, if the Court House had been crowded, and there was no room inside, the case would have been different; but there was abundance of room, and when the people once got inside all went on well. I need not dwell more on Tipperary, but will now refer to a strange occurrence in Dublin on the 13th of October—an outrage on the Metropolitan Police. Its sequel shows the estimation in which the police are held in Ireland. The account of what took place was virtually the same in all the Dublin papers. One of them gives the facts as follows:—

"The evidence was to the effect that between 1 and 2 o'clock that morning Constable 39 C saw the two prisoners coming out of Lower Tyrone Street into Gardiner Street. They were talking loudly, and using profane and obscene language. He cautioned them, and Waters said they were policemen as well as the constable, upon which 39 C said if they were they would have to conduct themselves. When he said this the two prisoners together struck him with their sticks on the head, knocking off his hat. The constable knocked down Waters as he tried to run away. O'Shea, after striking the complainant, ran away, and 39 C did not see him again till he was arrested by another constable. Waters struck him with his fist in the neck, as well as hitting him on the head with his stick, with which he struck the constable on the side of the head, staggering him. He also struck the constable on the shoulder and then got away. O'Shea was stopped by another constable, 85 C, whom he struck twice with a stick, and in the struggle both fell to the ground. 135 C ran to the assistance of the other constable, and as he was stooping over O'Shea that prisoner again hit him with the stick across the head, and the constable then struck O'Shea on the legs with his staff and knocked the stick out of his hand. O'Shea afterwards walked quickly to the station. The evidence of the constable was corroborated by a carman named Horsman. For disorderly conduct the prisoners were fined 10s. or seven days. For assaulting 139 C Waters was sentenced to one month's imprisonment with hard labour; and O'Shea, for the assault on Constable 39 C, was sentenced to one month; for assault on 135 C another month; for assault on 85 C to a third month's imprisonment with hard labour."

If ever there was a case in which the law ought to be evenly put in force, it was this one. And yet we hear that after 10 days the prisoners were liberated by the Lord Lieutenant, the order being as follows:—

"His Excellency the Lord Lieutenant, in pursuance of a Memorial of a highly influential character, has had the case of Constables Waters and O'Shea, of the Royal Irish Constabulary, who were sentenced to long terms of imprisonment before Mr. Chief Justice O'Donel, Chief Magistrate, on the 13th inst., on a charge of assaulting a Metropolitan police constable, re-investigated, with the result that His Excellency has ordered the release of both constables from custody."

I do not know whether these men are still in the Service or not, but it appears to be a strange thing that constables should be held to be so far above the law in Ireland that, after acting in this manner, they should be set free before their sentences have nearly expired. I am certain that if any civilian had been guilty of similar conduct he would not

have been let off a single day's imprisonment. Turning to another matter, I should like to read the notes made by Dr. Moorhead, the Visiting Justice, on the 13th of last September, regarding the treatment of Mr. McEnery in Tullamore Prison. I would ask the Committee to bear in mind that Mr. McEnery was imprisoned for an offence which in this country would not be considered an offence at all. The doctor says—

"Mr. McEnery, who has lost flesh and looks badly, complained generally of the unnecessary barbarity and indecency offered to his person by the officers during the process of searching. He states that he has always afforded every facility to the authorities for searching him within proper limits, but that he has resisted, and will continue to resist, the process of feeling portions of his body which offends alike his modesty and his manhood; and on last Tuesday week, the 2nd inst., having been previously admonished by the chief warder that 'henceforward he would be searched like ordinary criminals, the Governor, the chief warder, Warder M'Cullagh, and another, set on him in his cell, knocked him down, and proceeded to feel his person in an indecent and offensive manner; that there was no rule authorising such treatment, and though willing to afford any reasonable facility that he will resist such treatment to the utmost; and that he as a political prisoner is searched thrice as often as an ordinary prisoner. I think such an indignity as Mr. McEnery complains of to a fellow being, whether in prison or out of prison, is an outrage on our common humanity; and as it is evidently practised on Mr. McEnery out of a cruel piece of red-tapeism, being unauthorised by any prison rule, and wholly unnecessary, calls for immediate interference."

I think there is no justification for treating a gentleman confined for a Press offence in this way. I observed this morning that a Member of this House, in a letter from the Cape, says that white men cannot be hired to work in the diamond mines because searching of the person is necessary; and yet in Ireland a newspaper editor is subjected to the treatment I have described. I have here notes of a great many matters in which people are treated in a very different manner from what they are in Ireland, but I will not trouble the Committee by going through them. I would merely remark that where persuasion would be employed in this country batons would be resorted to in Ireland, and where batons would be used here buckshot would be employed in Ireland. The policy of the Government in Ireland is being continually held up to approbation in this country by Conservative and Unionist speakers. It appears to me that it has been very far from successful. It is impossible for for any thoughtful man to be satisfied with the state of things in Ireland. There is a complete want of sympathy between the Executive and the representative bodies in the country, and the latter have no power. In the military displays and contests that have recently taken place in this country, there have been volunteers from all parts of the world except Ireland, the reason for the exception being that you cannot have a Volunteer Force in Ireland. If the policy of the right hon. Gentleman had met with that complete success which his friends claim for it he would run candidates at elections whenever there were vacancies. In all countries public feeling is shown by the elections, and yet, notwithstanding all the boasts of the Government supporters, we do not see a single sign that the Government could gain one seat at an election. I regret the total gap there is between the Executive and the mass of the people. We feel that as long as that state of things exists in Ireland there can be any really successful administration of the country. At the next election the Government may be able to put in a few members in consequence of the divisions in the national ranks and in consequence of alterations in the domicile of voters, not because of any real change in the feelings of the people. No cause can be dead or weak which in a few weeks can start a daily paper in opposition to the views of the Government, and can gain elections in the way our Party has done. The material improvement in the condition of the people has not been so great as one would wish it to be, and as it would be under a proper state of things. The effect of the right hon. Gentleman's policy has been to suppress public feeling, and I believe the change for the better that has occurred in the country is not due to the policy of the right hon. Gentleman, but to the inevitable effect of the legislation of late years. I believe also that the more the policy of coercion is abandoned the more will the prosperity of the country increase.

Motion made, and Question proposed, 'That Item A, Salaries, be reduced by £1,000, part of the Salary of the Chief Secretary."

(4.50.) MR. FLYNN (Cork, N.): I do not suppose the right hon. Gentleman expects to get this Vote with the same absence of discussion as marked its passage 12 months ago, when the Debate came prematurely to a close by what was then the most inexplicable conduct of the hon. Member for Cork (Mr. Parnell). I believe there is this year an increase of £341 in the Vote, but I suppose we are expected to discuss not so much the details of the Vote as questions of policy and administration. One of the most obvious considerations in connection with the Vote is the success or non-success of the right hon. Gentleman's policy of coercion in Ireland. According to announcements in the *Dublin Gazette*, certain sections of the Crimes Act have been repealed in certain districts of Ireland; but no one, except one or two trained lawyers in Dublin Castle, exactly knows what sections of the Act are in force and what sections are in abeyance in many parts of the country. An Irish public man is compelled to consult an experienced lawyer before he can ascertain what are his rights as a citizen. In spite of the announcements in the *Dublin Gazette*, the Crimes Act, in all its clauses, still operates in Ireland for all practical purposes. The repealed sections can be re-imposed at will, and the Lord Lieutenant has the power of making their operation retrospective. To say that the Act is repealed at all is, therefore, a transparent sham and humbug, and it is only intended for the purpose of rounding periods and pointing passages in the Chief Secretary's perorations. If the Chief Secretary thinks he can nobble a political opponent more expeditiously by Section 3, which relates to special juries, all he has to do is to get the Lord Lieutenant to proclaim that Section 3 is in operation in a particular district. The same is to be said about changing the place of trial, by means of which power one of the most horrible parodies of justice ever seen was enacted at Maryborough, when a special jury was packed by a man who has since been rewarded with political office for packing it. If the Government fall foul of their political opponents in Ireland, or if agrarian agitation for fair rents becomes rife, they can bring the Act back upon us by re-imposing various sections. What then becomes of the flourish of trumpets all over the country about the repeal of the Coercion Act? I contend that the Act cannot be said to be repealed if you can not only re-enact it but make it retrospective. Since this Vote was last under consideration punishments of a month's imprisonment with hard labour have been inflicted. The right hon. Gentleman made a certain promise in this House when the Coercion Act was going through, and that promise—although we on this side treated it as an honourable promise—he has failed to keep. Men have had preferred against them charges of boycotting, the evidence on which did not disclose a single act of intimidation. For such conduct as was alleged they could not have been punished by the law of England, yet Magistrates have sent them to gaol in Ireland for a month's hard labour, and have refused to increase the sentence so that an appeal might be lodged. On the question of appeal, when this House was discussing his Bill the right hon. Gentleman said, "We propose to give an appeal in every case." That is recorded on the Journals of this House, and it is one of the least creditable actions of the right hon. Gentleman that he has never had the manliness either to fulfil his undertaking or to explain why an appeal has not been granted in every case. In the Tipperary prosecutions which were directed against some of my friends who are still in prison, it is not very difficult to prove that Mr. Shannon was purposely appointed to conduct the trials. The right hon. Gentleman, as he said in one of his fits of generosity, took the entire responsibility for the appointment. He said there that Mr. Shannon, who had only been appointed a Resident Magistrate in 1888, was sent to Tipperary in order that the executive and the judicial functions might be separated. It came out, however, upon the clearest evidence, that Mr. Shannon had been performing executive functions up to the eve of the trial. He had been in command of police and had ordered them to baton my hon. Colleague and his friends;

he had presided over a Court of secret inquiry arising out of the very occurrences which led up to the prosecutions at Tipperary, and in such circumstances I contend that it was only a travesty of justice to appoint Mr. Shannon to try the prisoners. I think the right hon. Gentleman at Newcastle denied that Mr. Shannon had had anything to do with incidents which had any bearing on the trial. That trial, it will be remembered, was in connection with proceedings arising out of the struggle between Smith-Barry and his tenants. I find that at a meeting held sometime before the trial Mr. Shannon acted as the deputy of Colonel Caddell, for a sergeant of police in his evidence said he was at a meeting at Limerick Junction on the 25th May. There were 1,300 or 1,400 persons present, and the crowd was perfectly peaceable and orderly. While the people were proceeding to Tipperary the wagonette in which Mr. O'Brien and his friends were riding was stopped by Mr. Shannon who was in command of the police, and at whose instance the constables drew their batons. Now, the speeches delivered on that occasion were put in evidence against the defendants in the course of the Tipperary trials. Yet, on the showing of the police themselves—despite the demands of the Chief Secretary—Mr. Shannon was on that occasion acting as an executive officer in charge of the police. Therefore, I say it was a grave and scandalous abuse that he should have been called upon to try the defendants. Again, at a meeting held in the town of Tipperary itself Mr. Shannon was in charge of the police and came into personal collision with one of my hon. Friends. Mr. Dillon complained of having been pursued by a body of 40 policemen headed by Mr. Shannon, who, in his presence, ordered a baton charge against a small crowd of defenceless persons—Mr. Sheehy and Father Humphrey both made a like complaint. There is, in fact, abundant evidence that Mr. Shannon had acted in an executive capacity on matters connected with this trial. We know, too, that throughout the trials the defendants were constantly shadowed by the police. I think, however, that the worst feature of the case was the unfair manner in which the Chief Secretary prejudged the merits of the case in his speech at Newcastle before the trials were heard. If ever there was a clear case of contempt of Court, that was one on the part of the right hon. Gentleman; it was a palpable wink to his subordinates how to act, and, of course, it had the effect of prejudicing the defendants, as might have been expected. But a striking proof of the character of some of these prosecutions and of the police evidence on which they are based, is the fact that when certain trials were abandoned before the Resident Magistrates, and taken before a Judge and a jury, impartially chosen at Cork, all the prisoners were discharged except two, about whom the jury disagreed. It would be impossible for these things to occur in any other country, for they would provoke a torrent of indignation against the executive. The administration of justice in Ireland is a story of juggling, and the Tipperary trials will take an infamous place in the records of the right hon. Gentleman's administration. I desire next to refer to the prosecution and persecution of the press in Ireland. The prosecutions seem to have been dropped to a large extent for a time, although the Nationalist Press has not changed its course of action, and is still doing what it has done during the past four years. The persecution of the press, however, has been pursued with great animosity and with almost incredible meanness. Advertisements have been persistently withheld by the Public Authorities from newspapers of adverse political opinions, and an instance of that very recently occurred in Cork, when a Conservative newspaper had withheld from it advertisements because it had not supported the policy of the right hon. Gentleman. The withholding of the advertisements was vigorously condemned by the leading Nationalists of Cork. This case proves that the Local Government Board in Ireland, though a large and important public body, are not above the meanness of boycotting papers. The Chief Secretary is the President of that Board, and he must share the responsibility of such conduct.

THE CHAIRMAN: Order, order! The hon. Member must know that a great part of his speech is irrelevant to the Vote under discussion.

MR. FLYNN: I was referring to the Chief Secretary as President of the Local Government Board.

THE CHAIRMAN: Any criticism of the conduct of the President of the Local Government Board must be made on the Vote for the Local Government Board of Ireland.

MR. FLYNN: Very well, Sir, I will defer that portion of my remarks. What I mainly wish to do is to deny the statement which is frequently made by the right hon. Gentleman and his supporters, that the Coercion Act has been a success. Ireland is in an unfortunate position. If outrages cease and the country is peaceable, we are told it is the result of the working of the Coercion Act, while, on the other hand, if the country is disorderly and discontented we are told a Coercion Act is necessary. So that whichever way Ireland turns, the necessity of coercion is obvious to hon. Members opposite. But in cherishing this belief in coercion the Chief Secretary is living in a fool's paradise, and is laying up a store of trouble and difficulty for his successor. What has produced the present pacification of the country is not coercion, but the effects of the agrarian legislation during the last eight or ten years, the rise of prices enabling the farmers to pay their rent with less difficulty than before, and last, but not least, the feeling of hope among the people that the struggle is drawing to a close and that they will soon have the right to govern themselves in a rational manner. These are the things which have produced the pacification of Ireland, and it is not the result of coercion.

(5.30.) MR. P. J. POWER (Waterford, E.): I will not go into the merits of the Tipperary case, as I was not there, and do not exactly understand all the details connected with it. I understand, however, that the subject was brought forward at the Eccles election, and created such a sensation that telegrams were sent Mr. Shannon to ask whether he had used the words attributed to him. Mr. Shannon telegraphed back that he did not use those words, but his statement carried no weight among the independent electors of Eccles, because he did not deny that he used words equivalent to those attributed to him. Not only do our people disapprove of the policy of the right hon. Gentleman, but the independent electors of this country repudiate it. The Government are in the habit of pluming themselves on the material improvement that has taken place in Ireland. It is a strange commentary on the claim that Ireland has so much improved that Her Majesty's Government have to spend such a large amount of money in Ireland. I cannot understand how the Chief Secretary was furnished with some of his statistics respecting Donegal. I understood him to say that unless the priests were brought to a state of semi-starvation he could not believe that much poverty existed in Donegal. I understood the right hon. Gentleman also to say that when the people subscribed a large sum as votive offerings to the priests there was no necessity to give assistance to the people.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I never said anything of the kind. The hon. Member is entirely misrepresenting me.

MR. P. J. POWER: I doubt very much whether I am misrepresenting the right hon. Gentleman; I will look up what he said. I admit that there has been increase in the prosperity of most parts of Ireland, but the Government of the Queen is not in the least responsible for that. Within the last few years, as is evident from the Joint Stock and Savings Banks and Railway Returns, there has been a great increase of trade in Great Britain, and Ireland naturally got a slight backwash of the wave of prosperity. The increased prosperity Ireland has experienced cannot be compared with that which has taken place in Great Britain. The Government is a Government of false pretences so far as Ireland is concerned, because in resisting the policy of the right hon. Member for Mid Lothian they laid before the constituencies a policy of even laws for all parts of the United Kingdom, and they pledged themselves on a thousand platforms to simultaneous reforms for Ireland as for Great Britain. But those promises have not been kept. The Government have brought in a Coercion Bill for Ireland which is not to extend to any part of Great Britain, and a Local Government Act for England and

Scotland which is not to extend to Ireland. To make the inconsistency of the Government more conspicuous, they not only refuse to keep the pledges they give to the people of this country, but they have by a recent Act hypothecated the taxes of the people of Ireland, without giving them the opportunity of saying aye or nay, respecting the expenditure of those taxes. We maintain that the Coercion Act is not aimed at crimes and criminals in the ordinary acceptation of the phrase, but is aimed at political opponents and political organisations, and that its main object is not to put down crime, but to break up combinations among the Irish peasantry — combinations which the right hon. Gentleman's policy has necessitated. The statistics of any country would, I think, prove that when the Conservative Party abandoned coercion in 1885, there was far more real crime in Ireland than was the case a couple of years afterwards. The Government administers affairs in the interests of the landlords, and their whole policy has been based on a desire to facilitate the collection of impossible rents and to coerce any tenants who enter into combinations to protect their interests. Some most remarkable evidence was given by one of the chief Pachas—one of the resident Magistrates—at Manchester at the trial of O'Brien *v.* Salisbury. He was one of the chief Government officials in my part of the country—Captain Slack. He was asked about the condition of County Tipperary, and he said it was most peaceful and satisfactory before the foundation of the Land League. He was questioned as to its condition in the 10 years after the foundation of the Land League, and said it was then most turbulent. Pressed by Counsel, he had to admit that in the 10 years following the foundation of the Land League there was not a single agrarian murder in the whole of Tipperary, whilst in the 10 previous years there were 28 murders or attempts to murder. Counsel then asked the witness—

"Do you then consider that 28 murders in 10 years is a satisfactory condition, and that those 10 years compare favourably with the condition of Tipperary 10 years later?"

The reply was—

"Yes, but in the 10 years before the foundation of the Land League there was no general combination among the tenants of Tipperary."

The meaning was clear—that in his eyes, as well as in the eyes of the right hon. Gentleman, the great sin the people commit is in joining these combinations. If you have murders galore and no combination the condition of things is satisfactory, whereas if you have no murders and much combination it is unsatisfactory. I am bound to say that Captain Slack's replies have been considered so unsatisfactory by the Government that he has been sent up to the Botany Bay of the North of Ireland. If we want to know how the Government have broken their pledges to Ireland we need not go beyond the words delivered by the noble Lord the Member for Paddington in this House. Two years ago when an hon. Friend of mine brought forward a Local Government Bill for Ireland, and the right hon. Gentleman the Chief Secretary said it was not the intention of the Government to extend to Ireland any of the provisions of self-government, the noble Lord the Member for Paddington (Lord R. Churchill) said the Government had pledged themselves to extend to Ireland at the earliest opportunity the same amount of local liberty as was given to England, and added that this was the only platform on which the repeal of the Union could be resisted. I am not really very much surprised at the conduct of the Government in this matter, because one of their chief characteristics both in Ireland and England has been distrust of the people. The right hon. Gentleman the Chief Secretary tries to make it appear by various assertions in his speeches that we have equal laws in Ireland with those in England. That is not so. Some of the laws in Ireland are more honoured in the breach than the observance, and I hope the Irish people will continue to honour them in the breach. This talk about law and order is mere cant. Take the case of the unfortunate man Canover, who was tried some time ago. Four different juries were empanelled. From one of them 42 men were ordered to stand aside and from another 47 were not allowed to serve. It is humiliating to Irish Catholics to be told to stand aside, as if they were unfit to discharge their duty as jurors; but it is adding insult to injury to be told to stand aside

by men of the character of George Bolton. I am not going into the career of that man. The first Debate I listened to in this House was the Maamtrasna Debate in 1884, and in the course of it the present Solicitor General (Sir E. Clarke) declared that the word of George Bolton was not much better than the word of the informers whose evidence we were then canvassing. I have no doubt the hon. and learned Gentleman continues to hold the same opinion, but I may remind him that the Government to which he belongs still retains George Bolton in its service. With regard to the revival of trade, I would remind the Chief Secretary that one of his ardent supporters, Mr. Lecky, says with regard to the prosperity of any country that the first condition of prosperity is the harmony of the Government with the character and wishes of the people. My hon. Friend who preceded me alluded to the breach of faith of which the Chief Secretary was guilty in obtaining the sanction of the House to his Coercion Act by promising an appeal from the decisions of his Removable Magistrates. The right hon. Gentleman has departed from that pledge in the most flagrant way. But I think his intimation to his subordinates was an even greater insult to the Irish people. Shortly after the passing of his Coercion Act many of the Resident Magistrates did give sentences from which there was an appeal, and in most of those cases appeals were made. The right hon. Gentleman delivered a speech in Birmingham in which he alluded to the inconvenience of these appeals. He did not tell the Resident Magistrates directly not to give sentences which could be appealed against, but those gentlemen took their cue from the right hon. Gentleman's speech, and gave sentences from which there was no appeal whatever. In Waterford we have a County Court Judge who enjoys the respect of the people. He is not one of those who condone crime, but one who metes out proper punishment to every criminal. Though at times I might think some of his sentences severe, he is respected, and never a word is uttered against his uprightness. It is a notorious fact that in every case that came before Judge Waters, the decisions of the Resident Magistrates were reversed. The Resident Magistrates then adopted the course of sentencing men to two or three short terms of imprisonment for the same offence, or they returned men for trial before special juries, and had the venue changed. Such conduct as that brings the law into disrespect. I alluded last year to the system of shadowing, with which the right hon. Gentleman's name is connected.

THE CHAIRMAN: That comes under the Police Vote.

MR. P. J. POWER: If it is out of order I shall not pursue the subject, although I think the system will not commend itself to the opinion of any upright or honest man. The right hon. Gentleman has stated in previous Debates that his police have not gone round with people in order to get refusals by shopkeepers to serve them.

THE CHAIRMAN: Order, order!

MR. P. J. POWER: If you think, Sir, that these matters will be properly discussed on the Police Vote I shall not deal with them now. The right hon. Gentleman has complained of the way in which he says his opponents have left the proper Parliamentary arena, and have descended to hard swearing. I think it comes badly from the right hon. Gentleman to make any such complaint of the Irish people. In former years we have had to contend against different Chief Secretaries and Lord Lieutenants, but I think this is the first time we have had to contend with a gentleman who seems to glory in the sufferings he has caused, and who makes those sufferings the subject of jests and jeers. The right hon. Gentleman says that the verdict of history will be that he has carried out the law fairly in Ireland, but I venture to say that it will be that he has carried out the law in a spirit unfair to the majority of the Irish people. He will have done much to sap the foundations of law and order, and to convince the people that British law as administered by the Government in Ireland is a scandal and a mockery, and is a law which is adminstered by partisan tribunals against the poor and in favour of the rich.

*(6.3.) MR. T. W. RUSSELL (Tyrone, S.): If I may judge from the character of the Debate, I do not think the salary of the Chief Secretary is in much danger. I

venture to say that if we had a *verbatim* report of the speeches which have been made it would be difficult to find anything which should affect the Chief Secretary's salary. We have heard a great deal about coercion, at a time when coercion has actually ceased to exist. It is an extraordinary time, therefore, at which to denounce the Chief Secretary's action in connection with the Coercion Act, which, so far as the greater part of Ireland is concerned, is practically repealed. The hon. Member for Waterford declares that so long as the power remains its effect is most galling. The hon. Member talked about loss of liberty. I know of no loss of liberty during the past year. I know a great deal of liberty which has been protected by the action of the Chief Secretary—action which has been denounced here to-night. If there is one place more than another which I should have thought hon. Members would hesitate in naming, it is Tipperary. If there is one place where the law of liberty has been established, it is there. If hon. Members take the trouble to read the letters of the victims, published in the newspapers, they will see whether real liberty has been found. It is satisfactory to note that every speaker has admitted the enormous improvement in the condition of Ireland. They have admitted that agrarian crime has diminished, that trade has increased, and that emigration has gone down, and pauperism decreased. I do not place all these results to the credit of the Chief Secretary; but surely they are not to be pleaded against him. The worst symptom that has appeared in the condition of Ireland during the past week is that the five great banking corporations of that country have held their meetings, and besides carrying large balances to reserve, have paid dividends of 10 per cent. The country is in a deplorable condition, surely, which can show such a state of affairs as that. I observed also with something like satisfaction that Mr. Smith-Barry held a rent audit the other day, and that the people went to his office to pay their rents, and some of them before the time fixed for payment. I do not say whether or not the enormous improvement in the state of Ireland is due to the Chief Secretary, but, at any rate, it is due to the steady administration of the law; and, at all events, we can honestly and fairly rejoice in it. I should like some information as to one part of his policy, and that is concerning the relief works. I have heard that in certain parts of Ireland these relief works have certainly not been an unmixed benefit, as they have led the people to neglect the Spring work, on which their future depends.

THE CHAIRMAN: Order, order! There is a special Vote for the relief of distress.

COLONEL NOLAN (Galway, N.): Will we be able to discuss the past administration of the relief works?

MR. T. M. HEALY: I would remind the right hon. Gentleman that he has got £60,000, which I presume is a portion of the road-making fund.

THE CHAIRMAN: The Vote in Class VII. admits of full discussion of past and present action in these matters.

*MR. T. W. RUSSELL: I will withdraw for the present, Sir, and resume the discussion on the other Vote.

(6.15.) MR. JORDAN (Clare, W.): We have heard from the hon. Member for South Tyrone that there is an improvement in the condition of Ireland; but I think the hon. Member may also be congratulated on an improvement in himself, for seldom has he delivered a speech with so little bitterness and so little animus against the Irish people. I hope he will continue the improvement. To the Chief Secretary I personally have no objection, but as Member for West Clare I have to complain of him in his official capacity. For the last five years I have never been able to obtain from him any concession for Clare, but we have obtained from him coercion in sufficiency, and more. He has made Clare the principal sphere of his policy of coercion; he has trampled Clare under foot in every form and fashion. Officially, he has countenanced outrage in the County Clare. A few days ago I asked the Chief Secretary for a sum of money to put up a small pier at Red Gap, which the Lord Lieutenant had promised. I have telegrams and letters this morning to the effect that the project was approved by the Lord Lieutenant, but the Chief Secretary has no money for County Clare. He had no money to clear the Fergus River when he was

asked for it, and he had no money for distress in Clare during last winter, not even for this miserable road-making to which the hon. Member for South Tyrone has referred. I know that he had many Memorials from Boards of Guardians and public meetings during the time of distress, in all parts of Clare, but he had no money. But as I have said, he made us a gift of coercion. He had plenty of gifts of that sort for Clare, though at the same time he had plenty of money for other parts of the country. He countenanced evictions—those cruel evictions such as we had on the Vandeleur Estate. The Chief Secretary let loose the full force of his coercion there. He gave us Resident Magistrates—Cecil Roche, for instance, that self-willed, coarse, and tyrannical official. [*Laughter.*] Hon. Members opposite laugh because they do not know. They laugh at the unknown. The hon. Member for South Tyrone saw me on the Vandeleur Estate, and I think I was about as inoffensive a man as any in the whole place. I am not particularly obnoxious; but when a poor man's roof was pulled down about his head, and he was dragged forth bleeding, I went, as the Member for Clare, and shook hands with him. And Cecil Roche ordered me off the land, and set a policeman—a low policeman—to drag me—me the Member for the county, and who had done nothing—off the land. [*Laughter.*] You sit there laughing, but I say you are heartless Members of Parliament. The Chief Secretary had no money for Clare, but he had £60,000 for the military police, with whom he flooded County Clare. I heard Colonel Turner say to two policemen that they were to fire from the window if anything more was thrown. The hon. Member for South Tyrone will bear me out, for he said "This is a bad business!" Yet the Chief Secretary, if he did not say I lied, refused to believe what I said. I have attended dozens of meetings, and sometimes I have been scarcely able to restrain myself at the conduct of the police. I do not wonder at the young men of the country rising against coercion. I recollect on the 8th April, 1887, going to the railway station with Mr. Davitt, who was leaving Ennis for Limerick. Of course, the people raised a cheer for Davitt. Captain Walsh was in command of the police, and he ordered them to clear the platform with their batons. Can you expect Irishmen to submit to such conduct? Are they not entitled, as men, to seek redress? While I deplore it, I can hardly blame the people seeking a wild revenge for such injustice. The Chief Secretary has espoused the cause of Hannah Connell and Mrs. Moroney as against respectable people. I do not wish to say anything bitter against the right hon. Gentleman personally, but his policy is a miserable one. He prosecuted 20 respectable shopkeepers in one of the towns of my own constituency because they would not sell whisky to the police, and in one case because a shopkeeper would not sell a shoe-lace to Mrs. Connell's man. It turned out that the man must have been sent for the purpose of establishing a case, because it was ascertained that the man had no money. There were 20 summonses, and I hold them as an heirloom of the right hon. Gentleman's *régime.* Then the right hon. Gentleman prosecuted and imprisoned the Rev. Father Gilligan for an alleged speech delivered in the middle of the River Shannon. [*Laughter.*] Yes, he was compelled to speak from a boat, and an eavesdropper of the Government pretended that he heard the rev. Father's word, though it could only possibly be that he heard the voice. If there is goodness anywhere, it will be found in the clergy—I mean the clergy of any Church—and Father Gilligan is one of the most honest of men. Yet for an alleged speech he was imprisoned for months and months. Again, the Chief Secretary will recollect the storm he raised against himself by his attack upon the Rev. Father Dinan when he insulted him, and other priests by the score. If coercion could produce order and affection for the administration of the right hon. Gentleman Clare ought to be the most orderly and affectionate of counties. But I regret to say it is not so. And if there is any benefit felt in Ireland, it is due to general causes—to rain and sun, which fall on all alike—rather than to that rule of the Chief Secretary, which the hon. Member for South Tyrone speaks of as benignant. Clare is still proclaimed! It is the most dissatisfied and troubled of counties in Ireland. And it should

be dissatisfied. It is no wonder that it is, after the severity of the right hon. Gentleman's administration; and dissatisfaction will prevail in Clare so long as this course is pursued, and so long as there are irregularities on the part of the Magistrates and the Executive. I ask the Chief Secretary to restrain his severity in the County of Clare, and to try another method of government; I ask him to adopt the policy of conciliation. He has sown the wind and reaped the whirlwind; for five years he has sown coercion, and has reaped crime and outrage. Whatever he does, he cannot have anything worse than crime and outrage. Let him, then, repeal the Crimes Act, and try a kindlier plan of government. I ask him to try a policy of conciliation; I ask him to remove the ban of coercion from the County Clare, and he will then see whether his new policy will not be rewarded. I could almost guarantee that if he adopts the policy of true statesmanship in Clare, if he pursues a new and conciliatory method of government, avoiding everything that is likely to irritate the people, he will find good results following. But if he refuses to adopt that course, then the people of Clare will not be conciliated, and I do not say that they are wrong in not being conciliated.

(6.30.) MR. ATKINSON (Boston): The hon. Member for Clare, in speaking of coercion, is only following the heavy lead of the right hon. Gentleman opposite (Sir W. Harcourt), who, so long as he acts as leader of the Liberal Party, continues to use the word "coercion" at various public meetings. No doubt worthy men like the hon. Member for Clare think that they are doing their duty; but the word "coercion" has no right at all to be applied to anything that has been done in connection with Irish questions during the whole of this Parliament. If there has been coercion it has been coercion such as we have all to submit to, namely, coercion in favour of right against wrong. As regards conciliation, no one has pursued a more conciliatory policy than the Chief Secretary. As I said a short time since, Ireland is pacificated at last. [*Laughter.*] One or two Irish Members rise against the statement, of course. We know it as a fact. The Chief Secretary, at all events, has shown his readiness to do all he can to release districts from disabilities—even though some of us thought him rash, which only evidences that he knew far better than us what ought to be done. I accepted what he proposed, and would do so again. I am glad to find I was wrong, and that he was right. I am sure if my hon. Friends opposite would cease to agitate, and get their friends the priests to cease to agitate, they would not hear coercion spoken of at all. But there is the coercion exercised by agitators in the form of intimidation and boycotting—the coercion of men and women who have been compelled to leave their comfortable holdings to go to a new district, with the loss of their livings and almost their lives. Then they have written to the papers saying that so-and-so was promised them, and it has come out that they have been threatened that if they wrote such letters they would be made to smart for it. That sort of thing, we can all see, is very wrong. I am sorry the right hon. Gentleman the Member for Derby and hon. Gentlemen opposite continue to fiddle away on the "coercion" string. No doubt it was a useful word in its time, but it is played out. The hon. Member for South Tyrone has done wonderful service in exploding it. He is really a typical Irishman—[*laughter*]—an Irishman of such recognised ability as to be worth double the average Irishman in this House. It has been observed that the hon. Member for South Tyrone has improved lately. There never was any need for much improvement. Of all the men we have reason to be proud of because of their good services the hon. Member for South Tyrone is certainly one. If he makes a speech on the Irish question it is twice as well worth reading as the speech of any hon. Member. It is said that the labourer is worthy of his hire, but all I can say is that you cannot get such a man as the Chief Secretary by payment. What he has done is worthy all the honour that can be conferred upon him. The Chief Secretary is a good deal better than every man on the other side put together. He is a deal too good for you, because you do not know how to treasure him when you have got him. Hundreds of times I have seen him rise with amiability to meet gross insults; in fact, he is twice or three

times too good for the island he rules over. But if Ireland does not appreciate him as she ought to do, we will take him for England and make him leader of the House. We shall then have a Chief Secretary good enough for the purpose, though not half as good as our friend, while the leader of the House would deal with Scotch, Irish, English, and Welsh questions. In that way we would have two Chief Secretaries, or at least a Secretary and a half. Under the circumstances, we are joyfully glad to vote the salary of the Chief Secretary, though I hope we will never have to vote it again. I hope that our friend, who is not able to lead us at present, and who has the affection of both sides of the House, will be promoted to another and a better place. [*Laughter.*] I am not speaking in the sense of our religious friends opposite. I mean by better place, one more suitable to his amiability and calm temperament. I say he has earned it. And I should like to see in his place the Chief Secretary for Ireland; for I know that if any of you put yourselves forward to say that which you ought not to say, he will be able to give a very good account of you, and we shall be delighted to help him. Whereas up to the present time we have all had to be amiable, instead of following the lead of a man like the Chief Secretary, under whose lead we should be less amiable, and, I have no doubt, should find it our duty to say stronger things. All praise is due to the statesman of whom I am now speaking for what he has done in Ireland, and I say we have had no success in the House for many, many years like the success which he has had, and there has been no success in dealing with Ireland like the success which he has achieved.

(6.40.) MR. T. M. HEALY: I am sure we have all enjoyed very much the confession of the Conservative statesman who has just sat down, and we are only sorry on this side of the House that we do not hear more often the Member for Boston. We wish there were more like him on that side of the House. I would suggest myself that when the translation takes place which will make room for the Chief Secretary in a position for which I do not think he is at all unfit, I would suggest that the proper Chief Secretary for Ireland would be the hon. Member for Boston.

MR. ATKINSON: I would not accept any office of the kind.

MR. T. M. HEALY: I can assure the hon. Member for Boston that had I known that is what he was going to say, I would not have given way to him. Sir, we have heard to-night some praise of the Chief Secretary, and I am not at all concerned to deny that, after the five years' liberal education which he has received, he is greatly improved. He is a very different man, indeed, from the officer who first began his raw and prentice hand upon us in the year 1883. And it is a remarkable thing that this fact was noticed last year by one of the gentlemen whom he still ungraciously detains in Galway Gaol until the very last day of his imprisonment—Mr. W. O'Brien, who, speaking on this Vote last year, said—

"I think nobody can have failed to notice a certain change of demeanour on the part of the Chief Secretary towards Irish Members. The right hon. Gentleman seems lately to have developed some spirit of courtesy, and even blandishment, towards, some, at least, of the criminal conspirators sitting on these Benches."

So that the Member for Boston is not so very much in advance of the time in what he said. I am not concerned to deny the continuance of that improvement. But, unfortunately, when in the course of human events the Chief Secretary obtains his promotion, we on this side will have to begin again on some "new shaved beggar" as Daniel O'Connell used to say—one as ignorant of his functions, or of Ireland, as the Chief Secretary was in 1887. Then, after some four or five years of him—if the Conservatives should then be in office—the then Chief Secretary will receive the same encomiums from the same Conservative Member for Boston, for the splendid firmness with which he has dealt with Ireland, and for the fact of his having reduced the country to an absolute state of peace. Why, really Mr. Courtney, we should be spared speeches of this kind, if the hon. Gentleman read the back volumes of *Hansard*. Take the course of every Chief Secretary since the Act of Union, and you will find that there have been addressed to him all sorts of encomiums like that you have heard to-night. But so far as we Irish Members are concerned, all we

have to note is that, while you are praising the Chief Secretary in this House, the population is steadily diminishing by about a million a decade. The true test of administration or statesmanship in Ireland is not to be found in the praises of the Chief Secretary, but in the absolute and concrete fact that in each of the five years during which he has been in office, the population of Ireland has decreased by something like 100,000. The people have quitted the country, quitted the rule which we are told brings down so much blessing in its train. Really, I think that in the course of the administration of the right hon. Gentleman there is no more remarkable fact than that while he is boasting of being able to take off the coercive fetters in which Ireland has been bound, he continues to keep in gaol two gentlemen whose presence in this House, it will not be denied, would contribute a large amount of knowledge and experience of Irish affairs, and whose retention in an Irish prison is the greatest stigma that can be cast on the so-called success of the right hon. Gentleman's administration. The sentences of those two gentlemen will expire on the 31st of July, and we have now arrived at the 20th, and yet so much does the right hon. Gentleman distrust the class and character of his own administration that he thinks it necessary to keep these hon. Members in gaol until they have undergone the very last days of their term of imprisonment. But not only has the right hon. Gentleman been wasting in this unparalleled manner the success of his administration, but he has been engaged in a still more small-minded proceeding, namely, by insisting on levying the amount of the recognisances which were forfeited eight or nine months ago, notwithstanding that in the end the defendants frankly rendered themselves up to justice. The hon. Member for South Tyrone (Mr. T. W. Russell) has stated that coercion has disappeared in Ireland.

*MR. T. W. RUSSELL: I said "almost."

MR. T. M. HEALY: Let us assume for a moment that it is so, although I deny the statement. What does it prove? It proves simply what the Irish Members have always maintained, namely, that the policy of coercion is hateful and unpalatable to the English people, and that there is a desire on the part of the English people at large to get rid of this coercive system, and that one of the greatest factors in the Conservative programme is the belief that they have abandoned this system. In point of fact, the Conservative Party at the present moment believe that the best card they can play to the masses of the English people is that on which they say they have abandoned coercion. But speaking as one who has had experience in regard to the existing Coercion Act, I assert most unhesitatingly that no change whatever has taken place in the method of its administration by the right hon. Gentleman. There is no difference now, either in the quality or the amount of liberty allowed to the Irish people as compared with with what it was 12 months or two years ago. All that is wanted is that the right hon. Gentleman should at any moment insert a notice in the *Dublin Gazette* in order that he may resort to or revive the powers under which the Irish people have suffered during the past three or four years, so that absolutely nothing has been gained to the liberties of the Irish people. The existence of that Act is a perpetual menace to those liberties. The Act is retrospective, and consequently the tyrannical power still exists and may at any time be exercised. Further, let me ask in what way has the Government reduced its means or power of action? Has any portion of the army been disbanded? Have the Government made the slightest reduction in their legal equipment? What has become of the Resident Magistrates? Have any of them been turned out of office? No. I once asked the right hon. Gentleman why Mr. Cecil Roche had given up a position as Sub-Commissioner under the Land Act, for which he received £1,000 a year, and has accepted re-employment as a Resident Magistrate, for which he only got £650 or £700 a year. "Oh," said the right hon. Gentleman, "it is because, I presume, he prefers a more durable appointment at a smaller salary." Therefore I assume that the extraordinary system administered by the Resident Magistrates is to be permanently continued, although we are told that the

need for it has been got rid of. If, as I assert, the Government have found it impossible to dispense with the Resident Magistrates, it is useless and absurd for them to tell us they have abandoned coercion in Ireland. I now come to another question. We were told in former years that the National League was a thing of the past and had ceased to be a national organisation. But what, I ask, has become of the proclamations issued by the Government in the different counties where the League prevailed? In the town of Tipperary it is a fact that the League was disbanded at the moment the organisation was threatened, and yet that town has been placed under the ban of the Government to such an extent that if any hon. Member from this side of the House should walk through the streets of Tipperary he is followed, dogged, and watched by the police just the same as when the League was in existence. What, I ask, is the real source of whatever disorder may exist in Ireland? It is generally admitted that one of the greatest dangers to the peace of Ireland is the existence of a large body of evicted tenants, and the only places where the right hon. Gentleman has not taken off his proclamation are those in which the Plan of Campaign tenants remain in an evicted condition. I certainly did expect that we should have heard from the right hon. Gentleman that something like an effort has been made to restore these evicted tenants to their homes. Many of these people are in a most pitiable condition. Take the case of the Clanricarde estate. No Englishman can have the least conception of the state of things existing on that property. There is more law and order and peace in Mashonaland or any other African colony containing a population of hostile savages than there is on the Clanricarde estate at the present moment. There you have the landlord's agent making raids on the cattle of the people just as if they belonged to a hostile tribe. There you have the people wakened by the sound of trumpets and the tramp of armed soldiers moving about in the interests of a landlord whom the Chief Secretary himself does not attempt to defend. How do the Government propose to remedy such a state of things? It is not for me to say what the Government intend to do. There is the Amendment proposed by the hon. Member for South Tyrone, dealing with the evicted tenants. When that Amendment was proposed I expressed my belief that, so far from being in the interests of the evicted tenants, it was all the other way, because it conceded nothing whatever to the evicted tenants that they did not possess before, whilst it enabled the landlord for the first time to make terms with their men before they were reinstated in their holdings, whereas formerly he had first to reinstate them. However, there is the Amendment; what will be its operation? Will it do anything with men like Lord Clanricarde, and to restore peace and harmony on the Clanricarde estate? That particular landlord stands in a different position from almost any other, because he has entirely neglected the first duties of a civilised landlord. It would be treated as absurd in this country for a man to own an estate, say in Armenia, and to allow it to be overridden by Kurds, whilst he remained here simply drawing his money from that estate, not caring sixpence what became of the people. It is absurd to say you would contemplate such a state of things with anything like complacency, or that you would do anything but reprobate the conduct of a landlord who divorced his sympathies entirely from his tenants, having no care as to what might become of them. I therefore say the Government have a duty in this matter to discharge altogether irrespective of the origin of the disputes. It is no answer to say to the general body of the Irish people "You brought this upon yourselves." Whether they made mistakes or not is not for me to discuss. They are men of Irish blood, of our own race, and Irishmen cannot but regard with feelings of the deepest anxiety and pain the fact that there are distributed over various counties some 2,000 or 3,000 homeless people with little resources except those they derive from the generosity and benevolence of their countrymen. It is no man's interest that they should be allowed to remain in their present position; on the contrary, the fact that they are told that they no longer have anything to hope from the continuance of agitation—as the hon. Member for South Tyrone probably

would tell them—is to fill them with despair, and constitute a distinct menace to the public peace. Therefore, I do hope that the right hon. Gentleman the Chief Secretary is in a conciliatory mood, and will see, so far as in him lies, that something is done to amend this unfortunate position of affairs. I am bound to say—to do the right hon. Gentleman justice—that I have noticed in him a change of temper recently with regard to some of the phases of the Irish question. I congratulate him upon his concession to the long leaseholders, which I think was a wise and statesmanlike action on his part, and I am only sorry that he was not disposed to make his Bill a little wider, so as to include other classes of tenants. If, as I think is the case, his tour through the West and South of Ireland for the first time showed him the miserable and unhappy condition of the tenantry, and if he has for the first time begun to have something like an insight into the modes of life and habits of the people, and their necessities, I should hope that he would, in spite of any feeling of pride, and without allowing any feeling that he might be charged with inconsistency, to restrain him, go on a little further and endeavour, by such pressure as he can bring to bear on landlords such as Lord Clanricarde, to do something to restore these tenants to their holdings. I may be told that the right hon. Gentleman does not know what to do. I confess I should know what to do if I were in his position. He will say he must carry out the law. Well, there is law and law, and there are different methods of carrying out the law. We have seen that that is so in Ireland to a considerable extent. I think I should be disposed to say to Lord Clanricarde and men like him, "In Ireland the police are nearly 12,000 in number, and the amount allowed by Parliament for their maintenance is strictly limited by the Estimates." I should say that if all landlords required the police assistance they did, it would be impossible to police the entire country. I think that the use of arguments of that kind, and the carrying out of such arguments to a logical conclusion, would have the effect of reducing people, even of the mental calibre of Lord Clanricarde, to something like sense. I think that Lord Clanricarde is probably the worst of the entire crop; but with regard to the others, who are not in so bad a position, whose conduct is not nearly so bad as that of Lord Clanricarde, I would use to them an argument which it is not difficult to evolve from the speeches of the right hon. Gentleman himself. He said the other day that it did not enter into the mind of anyone to conceive a more preposterous idea than that the House would ever at any time of its future life advance one fraction more than £33,000,000 to buy out the landlords. I would say to men like Mr. Ponsonby, Lord Massereene, Mr. Smith-Barry, and Lord Lansdowne, "Here is £33,000,000. Are you going to get a share of it? Here are evicted tenants lying out in the cold. It is absurd to suppose that this Parliament will ever again vote money that will enable you to get rid of the undoubted burden that exists at this moment on your estates." And I would say, "It is the duty of the Government, where large police and military expenditure is thrown upon the State because of evictions and the continuance of boycotted farms, to try and reduce that expenditure by bringing due pressure to bear on the landlords." I will tell the Committee what I heard the other day in regard to the estate of Coolgraney. It seems that Mr. Brook has taken two or three planters on the estate, and he has put a lot of cattle there. And what are the police doing? Why, I hear they are engaged in preventing Mr. Brook's planters from stealing his cows. That shows the amount of confidence reposed by Mr. Brook in his planters. The Government absolutely have to protect the estate from them. The Chief Secretary may during the Recess devote his time in the most profitable manner to pressing on these landlords remonstrances or suggestions of the nature I have indicated, and, if so, he will have done something on which he may congratulate himself. I never thought I should live to see the day when, with regard to a man upon whose head so many vials of wrath have been poured out, an Irish Member occupying a responsible position would have been able to go down to the West of Ireland and shower blessings upon his enemy. That is a remarkable advance on which the right hon. Gentleman may congratulate himself. He may also congratulate himself on the fact that at the

present moment a considerable fraction of the Irish representation is in absolute harmony with the Orange Party. They have taken up every cry which has made Orangeism odious in the minds of a large section of the Irish people. The right hon. Gentleman may even boast that, as the result of his working of the Coercion Act, an Irish Nationalist editor, who was nine months in Tullamore Gaol, is now, since the Carlow election, so convinced of the unfitness of his countrymen to govern themselves that he declares, not in any qualified way, but in bold set terms, that Home Rule is Rome Rule! Now, I think that is a tremendous fact for the right hon. Gentleman to congratulate himself on. He will be able to point to that as the result purely of his administration. The right hon. Gentleman tried to break the spirit of the Irish Party by coercion, and he failed; he tried to break up the Irish Party by the Special Commission, and that failed; and he must have come to the conclusion now that there are Courts more potent even than Coercion Courts; and, that being so, the right hon. Gentleman is entitled to all the credit. We know very well that the taking off of the proclamation of the Irish counties is entirely due to the firm administration of the right hon. Gentleman. When we have a good harvest in Ireland we know it does not come from the Almighty, but from the Conservative Government. The surplus in the Irish banks, and the like, all come from the Conservative Administration. I do not know what line the right hon. Gentleman intends to take in regard to the future. Last year I asked the right hon. Gentleman whether he intended to bring in a Bill for the Local Government of Ireland. It was promised in the Queen's Speech of that year, and I believe it was also promised in the Speech at the commencement of this Session. I think I am entitled to know whether the excuse that the Irish people have given themselves over to a prelate conspiracy will stand good in 1892. It is now only five years since the noble Lord the present explorer of Mashonaland promised us simultaneity and—I forget all the other words—oh, spontaneity, in connection with the Local Government of Ireland. We have waited—I will not say patiently—for five years, and we see nothing like an approach to the keeping of that promise. On the contrary, we are told we are to have a new Redistribution Bill, and a Bill to deprive illiterates of their votes, and another Bill to prevent priests from being Irishmen, as I understand. The suggestion is that when a gentleman receives Holy Orders he is thereby debarred for all future time from taking any interest in the affairs of his country. Of course, we cannot expect from a Tory Government a satisfactory measure of Local Government. The Chief Secretary may, by means of such a measure, be able to satisfy a fraction of the Irish people. I am far from denying the possibility. But I and my friends will resist, whatever position others may take up, upon as full a measure of local government as England and Scotland have received, and we shall not hesitate, by reason of any junction that may take place between the Orangemen and certain persons on this side of the House, to reject any Bill that is less than was offered to England and Scotland. In conclusion, I will only say that the right hon. Gentleman has now had considerable experience in dealing with Irish affairs; he is a much wiser man than he was when he entered office; he is a somewhat older man, although his wisdom has come largely from the experience of his office, to which he has very closely and patiently devoted himself. I challenge him to declare in the face of Great Britain that he has effected the alteration of one jot or one tittle of the principles of patriotism and Irish nationality which the Irish people have always maintained. So far from weaning the people of Ireland from the paths of nationality and inducing them to accept anything less than they were willing to accept in 1886, as a whole the Irish people stand to-day exactly where they stood then. There may be, perhaps, a little confusion of Parties, owing to the misfortune which has occurred in their ranks, but as a whole, after five years of unparalleled coercion and "firmness of administration," they stand more determined in the assertion of their rights and liberties then at any previous period of their history.

(7.20.) MR. A. J. BALFOUR: The Debate as to the Vote for the Chief

Secretary has been an interesting one, and very different in tone and temper from those which we have witnessed in past years; and as one of the consequences there are few points with which it is necessary that I should trouble the Committee. It is usual on the occasion of the taking of the Chief Secretary's Vote, that such specific matters should be brought before the attention of the Committee as call for explanation from the Chief Secretary. Few such points have been brought to the notice of the Committee to-night. Hon. Members have rather contented themselves with dealing generally with the past policy of the Government. They have abstained from bringing forward specific and particular accusations which require to be rebutted by the Chief Secretary in defending himself from criticism. The hon. and learned Gentleman the Member for North Longford, however, has put before me one or two points in regard to which some reply is necessary. The hon. and learned Member has drawn attention to the undoubted fact that it is upon the Plan of Campaign Estates, and upon those estates almost alone, that threatening disorder now exists, and he has suggested that I, acting for the Government, should come forward and give advice to Lord Clanricarde, and possibly others, though he did not name them, which might end in a peaceful and speedy settlement of the disputes which have so long, unhappily, existed on those estates. It is perfectly true that if those who were concerned on either side in the controversy between landlords and tenants in Ireland had been willing to ask my advice, and to take it, there were cases in which much trouble might have been spared, and much suffering might have been prevented. But there is no use in offering advice to those who are unwilling to take it. I would have been very glad to proffer advice to some of the leaders of the Plan of Campaign—local and others—if I had thought such advice would have been of the slightest interest to them. I knew it would not, and I have never wasted my time or theirs by suggesting they should adopt a different course. In the same way, unless I had some ground for believing Lord Clanricarde would thank me for interfering in his private affairs, I did not think any public object would have been attained. The hon. and learned Gentleman has said that if he had been Chief Secretary he would have ceased to protect the persons on Lord Clanricarde's Estate, who are now under police protection. What would have been the result of that policy? That a certain number of persons who now pursue their avocations—I will not say in comfort, but at all events in peace—would be murdered. I have no ground for believing that the assassination of two or three persons would have the slightest influence upon the tactics pursued by Lord Clanricarde, and I therefore do not think it would have been consistent with my duty to become an accomplice in the murder of these persons, especially if it would not have effected the further object the hon. and learned Gentleman desires. Then the hon. and learned Gentleman says, "How can you possibly boast that your policy has met with success when you have to keep up the same number of Resident Magistrates as you have always had?" I believe it was about 1884 that the number of Resident Magistrates reached its maximum, and I think it will be found that in addition to the 72, the normal or permanent number, Lord Spencer had no less than 10 additional Resident Magistrates for the purpose of carrying out the policy of the Administration of the right hon. Gentleman the Member for Mid Lothian. During the tenure of office, which has been surveyed by so many speakers, the number of Resident Magistrates has been steadily diminished, and we have now for the first time for some years reduced the number of these Magistrates to the normal number. I think that is a satisfactory result; and in regard to the 72 Magistrates, I say neither do I contemplate diminishing the number, nor do I think any Government will contemplate diminishing it.

MR. T. M. HEALY: When the right hon. Gentleman speaks of the normal number, does he refer to the normal number since 1881?

MR. A. J. BALFOUR: Resident Magistrates were first appointed in 1824, but the number has varied from time to time. Seventy-two is recognised as the normal number. Then the hon. and learned Gentleman complains that the Lord Lieutenant has not been asked to exercise the prerogative of mercy with

regard to Messrs. Dillon and O'Brien by shortening the term of their imprisonment. The hon. and learned Member must see there is no reasonable ground for that action, because those gentlemen would have served their time long ago had they not gone to America. Others associated with them in the trial and in the sentences have served their full term; and, under these circumstances, there does not appear any ground for interfering with the ordinary course of law. The hon. Member who opened the Debate recalled the attention of the Committee to the case in which two Dublin policemen were assaulted by two members of the Royal Irish Constabulary. The offenders were brought before a Dublin Magistrate and sentenced to a term of imprisonment. They petitioned the Lord Lieutenant, and His Excellency, after consultation with the Magistrate, commuted the sentence to a fine. I do not think there is anything in the case which requires me to further notice it, or which need exercise the mind of the hon. Gentleman who brought the question before the Committee. I do not propose to attempt any valuation or estimate of the success of the Irish administration during the term I have been Chief Secretary; but no one can deny that the state of Ireland, whether it is from the point of view of the prevalence of crime or of material prosperity, has very greatly improved in the last four years. It would be quite superfluous if I were to attempt to apportion the credit for that state of things to the various causes which may have, and no doubt have, contributed to it. Certainly I do not think anyone can accuse me of either in or out of the House boasting that the present state of affairs is due to my administration. I have never attempted to exaggerate any change for the better; but when the hon. and learned Gentleman asks what we have to show for our five years' administration, he will admit we have something to show in the way of public works and the relief of distress. While we may not have succeeded in altering the opinion of any man in Ireland with regard to the Local Government of that country, we have shown there are advantages to be derived from the government of Ireland by an Imperial Parliament — advantages it would be difficult to convince the Irish people, or any impartial audience, could be derived in anything like the same degree or the same measure from a Parliament sitting on College Green, and commanding the resources, and those resources alone, which a Parliament in College Green would command. The hon. and learned Gentleman has accused the Government of having played with the question of Local Government. I would remind the hon. and learned Member and others that Ireland, to put it moderately, has had at least her full share of the time of Parliament during the last five years. The hon. and learned Gentleman will no doubt think that the time of Parliament would have been much better occupied in passing a Local Government Bill than in passing the Crimes Act. But, putting that Act out of account, I think that the hon. and learned Gentleman will admit that the Land Act of 1887, the Ashbourne Act of 1888, the Land Bill of this Session, the Light Railways Act, and other measures too numerous to specify, have really employed not only Ireland's fair share, but a great deal more than Ireland's fair share, of the time of Parliament. With regard to the next Session, I certainly hope we shall be able to bring forward a measure for Irish Local Government, though it seems from the remarks of hon. Gentlemen opposite that nothing we can do as to the government of Ireland will satisfy any Irishman. I do not know whether I gathered that if we do bring in a Local Government Bill based, broadly speaking, on the same principles as those which have governed us in framing similar measures for England and Scotland, we are to count on the support of the hon. and learned Gentleman the Member for North Longford. [Mr. T. M. HEALY: Certainly.] I hope the time will not be too long delayed before the hon. and learned Gentleman is able to practically show us the value of the support he has just now promised.

*(7.40.) MR. KNOX (Cavan, W.): In reference to some remarks of the hon. Member for South Tyrone, I desire to say there is no constituency in Ireland so free, on the whole, from crime as my own, and yet in that constituency there have been within the last two months prosecutions without any justifiable ground. As a matter of fact, the Crimes

Act is still, to all intents and purposes, as much in operation in Ireland now as it ever has been. The withdrawal of the Proclamations was not intended for the benefit of Ireland, but for the benefit of Tory platform orators in England. It is true that active prosecutions under the Coercion Act are fewer than before. We find a reason for that not in the fact that the Coercion Act has been repealed or that the Chief Secretary's policy has been changed, but in the fact that there are circumstances which make the hostility to the right hon. Gentleman's policy less active than formerly. So soon as our internal dissensions are healed—and I trust it will not be long before practical unanimity has been secured—the Coercion Act will be ready to prevent active opposition to the Chief Secretary's rule in Ireland. The hon. Member for South Tyrone talked of the general prosperity in Ireland, which he attributed in a large measure to the Chief Secretary's administration; but, strange to say, he went on to state that though the wages paid on relief works were what he described truly as a miserable pittance—from 7s. to 12s. a week—there had been such a rush of the people to the relief works that the ordinary crops had been neglected. If that was true, it only showed that the people felt that their rents were such that they could not cultivate their farms and reap as their reward so large a sum as 7s. a week. There could not be a stronger commentary upon the remarks of the hon. Member for South Tyrone than such a state of things. If the Chief Secretary had wished to meet the distress in the West of Ireland, these statements show that he had better have reduced the rents in the parts of Ireland affected. These rents are no longer sacred. By the Act of 1887 the Government have reduced rents fixed in the earlier years of the Land Act. But the reductions ended with the spring—with the May gale of 1890. It would have been wiser, instead of spending large sums of Imperial money, to have reduced rents in these cases, to have shown the people there was something for them to earn on their own farms in the usual course of industry in the district. The Chief Secretary has made one omission from his speech. He was asked by my hon. Friend the Member for North Longford (Mr. T. M. Healy) to give some hint or suggestion to his friends and supporters in Ireland, to the hon. Member for South Hunts, and Lord Clanricarde, that it was his wish — going no further than that—that they should restore their evicted tenants. There is a clause inserted in the Land Purchase Bill which will enable these tenants to be restored, but that clause depends for its efficacy upon the action of the landlords. Against the will of the landlord evicted tenants cannot be restored to their holdings. If anything is to be done under that clause it must be by a change of intention on the part of landlords, and whence is the inspiration of that change to come if not from the Chief Secretary himself? The Chief Secretary says he does not like to give advice that may be declined, and he quoted, as a parallel case, advice to those who promoted the Plan of Campaign; but surely the right hon. Gentleman must admit the distinction between advice given to his political friends and to his political opponents? When my hon. Friends (Mr. Dillon and Mr. W. O'Brien) were being prosecuted and imprisoned under the coercion law they were not amenable to advice from the right hon. Gentleman. But landlords like the hon. Member for South Hunts and Lord Clanricarde occupy a very different position. Without breaking the law, by "pressure within the law," the Chief Secretary could reduce the income of Lord Clanricarde to less than *nil*. Lord Clanricarde knows that but for the Chief Secretary's support he would have received much less than he has received in recent years in rents from Ireland. Surely that is a slight difference in position? It is not a very extravagant thing when my hon. Friend asks the right hon. Gentleman to express a wish in this House that those who support him in Ireland, those who have been relying on his support, should restore their evicted tenants to their holdings. It is but for the right hon. Gentleman to express that wish; he has almost supreme power to direct the forces of the Crown, and I hope that we may have some expression of opinion in this direction.

(7.50.) MR. WEBB: As I moved the reduction of the Vote, I may be allowed to

add a few words before we go to a Division. The speech from the Chief Secretary was of a conciliatory character; but notwithstanding the result to which he points, we still cannot regard his policy in Ireland as having been other than disastrous. The present truce in Ireland is partly due to the fact that the Coercion Act has not been enforced as heretofore; and if the right hon. Gentleman had continued as he began, the opposition to his policy would be as vigorous as ever. Of course, the legislation of the last 10 years, initiated by the last Government and continued by the present Government, has had effect; it would be strange if it had not, and there is also the hope of the advent of another Party to power. The causes that have conduced to the present state of quiet in Ireland lie quite outside the policy of the Government. Just as in France, under the third Napoleon, there was for a time the appearance of prosperity and contentment, so there is in Ireland; but still the causes of discontent exist; they are dormant, but they have not been removed. In a paper read before the Statistical Society, the Registrar General has dealt with the present progress in Ireland; and anyone who looks at the question, and compares the state of things in Ireland as compared with England and Scotland in the last decade, must recognise that there is little real progress. There is a decline in population in Ireland, and, therefore, a distribution of wealth over a smaller number. The remarks of the Registrar General on the decline of the birth-rate give cause for serious reflection. The young people marry and emigrate, and their children are born out of Ireland, and this is anything but a satisfactory state of things to contemplate. There is, happily, a decrease in crime, but this is due to other influences than those of the Coercion Act. It would be a dangerous idea to encourage, that the decrease in crime is due to a decline in the desire of the people for more free and liberal institutions. It is because we still believe that the policy of the right hon. Gentleman has retarded, not assisted, the progress of peace and prosperity in Ireland that we renew our protest by moving the reduction of the Vote.

*(8.0.) MR. KEAY (Elgin and Nairn): The Chief Secretary has congratulated himself to-night, and I think not altogether without reason, on the fact that in this Debate we have not heard any allegation that might affect his conduct personally, apart from his conduct generally, as a Member of the Government. Now, viewing the fact that a great part of the Session was taken up by the right hon. Gentleman in his official and sometimes in his personal capacity in piloting through the House what the Government consider the chief legislative work of the Session, and considering the fact that I reluctantly considered it my duty to take some part in the discussions upon that Bill, I think the right hon. Gentleman will himself expect that I should take the opportunity afforded by this Vote to say something in reference to his action, and to his absenting himself on certain occasions during the Debates upon the Land Purchase Bill.

THE CHAIRMAN: The hon. Member would be entirely out of order in taking that course.

*MR. KEAY: I do not quite understand, Sir. Does your ruling preclude me from discussing the conduct of the right hon. Gentleman in the House on the Committee stage of the Land Bill?

THE CHAIRMAN: Yes; certainly.

*MR. KEAY: In that case my remarks will be cut very short. I had trusted to this opportunity presented by the discussion of the Vote for the salary of his office to mention such facts as that the right hon. Gentleman absented himself from the House on important occasions when I had just risen and announced that I was about to controvert his arguments. However, Sir, if your ruling is so stringent as to prevent my doing this on this Vote I do not know with my limited experience if I shall be able to find another opportunity. I will only now in very general terms make one statement. The right hon. Gentleman complained of my making too many speeches, but he himself was the cause, inasmuch as he refused to make a reply——

THE CHAIRMAN: Order, order!

*MR. KEAY: I am not going into details; I only wish to say that the right hon. Gentleman has at last discovered that the points which I pressed on the Committee have proved to be points of real importance. Through his

colleagues the right hon. Gentleman has admitted the fact, and has introduced in another place, changes which, if he had considered them as I suggested them in this House, would have saved the time of the Committee to a very great degree.

(8.7.) DR. TANNER (Cork Co., Mid): I was not present when this Debate originated, but I understand that my hon. Friend has made a Motion for a reduction of the Vote. We are precluded from dealing with many subjects we could wish to raise in reference to the action of the Chief Secretary; but I think it would have been a great mistake if this Vote had been allowed to pass unchallenged, for that would have amounted to an admission on our part that coercion has to some extent, at any rate, succeeded, whereas we all know that it has not succeeded in one atom, jot, tittle, or iota. It is not due to the action of the Coercion Act that things are not in Ireland exactly where they were when the right hon. Gentleman started in 1886. It has signally failed all along the line. We have had from the hon. Member for South Tyrone a speech not quite in his usual style, and with less of that gall and bitterness he usually contrives to introduce into debate upon Irish questions and at the expense of Irish interests. The hon. Member for Boston (Mr. Atkinson) is mistaken in taking the hon. Member for South Tyrone as a typical Irishman, for, as I thought everybody knew, the hon. Gentleman is half a Manxman. However, as I have said, coercion has signally failed in Ireland. The hon. Member for South Tyrone gave us a statement in reference to Irish banks, and of their deposits having increased in recent years.

*MR. T. W. RUSSELL: What I said was that in the last fortnight banks had paid dividends of 10 per cent., and I said that was a symptom of prosperity.

DR. TANNER: From time to time the hon. Member favours us with these statements, but they indicate little more than that among certain classes there has been an increase in deposits. I can certainly say, and that on good authority — of medical men among others in Dublin, Cork, and Galway— that there is little money in circulation. Let anybody who knows Ireland, and remembers what Dublin and Cork were 10 years ago, go there to-day and see what a change for the worse has taken place! There is not the amount of money in circulation as of old. You see large shops shut up all over the place, and all in consequence of the Chief Secretary's misgovernment. If the Government want to see the success of their coercion in Ireland, let them go down to the quays at Queenstown in April, May, and the beginning of June, and see the thousands of stalwart young men and young women who are driven away from their country by your beautiful Administration. These are plain facts that you should face and understand, and you should not allow yourselves to be led away by the glamour which the hon. Member for South Tyrone on one side and the hon. Gentleman the Member for Boston on the other throw on the subject. On every hand we hear the same tale. Take every one of the Boards of which the Chief Secretary is an *ex officio* member. Take the Local Government Board——

THE CHAIRMAN: Order, order!

DR. TANNER: I will not go into the matter, but the Chief Secretary is the head of the Department in Ireland, and is, therefore, responsible for its shortcomings and misdemeanours.

THE CHAIRMAN: Order, order!

DR. TANNER: Well, the same thing may be said as to the right hon. Gentleman's tenure of office as the head of the Fishery Board. I will deal with these points *in extenso* later on. I now only mention them in passing. Not long ago I requested the right hon. Gentleman to carry out some works in a district near Macroom, and he answered that he would consider the matter; but what took place? Some of the right hon. Gentleman's officers went down to the poor district that lies between Ballybourney and Inchageela, where the people live in wretched dwellings and are always, even in the best period of the year, in a miserable condition. I am sure that everybody going amongst these people would agree that something should be done for them. Unless something is done for them they will again suffer this year in the acute way they did

last winter. We find that wherever the right hon. Gentleman went in the course of his Irish tour, and wherever the people bowed down to him there money was spent; but the same state of things exists as existed three years ago, when people were taken up again and again, and got a couple of months' imprisonment for saying "Boo for Balfour." I should not have got anything for Inchageela had it not been for the fact that four women waved their aprons and cheered the right hon. Gentleman. The right hon. Gentleman likes to pay in kind. The people cheered, and he paid for the cheer, and I am glad of it, and I hope we shall get more assistance in the same way. But what has the right hon. Gentleman done for Ireland as a whole? He has worked innumerable evils for her, from which she will not be able to recover for many a long day. The spirit of officialism in Ireland to-day is worse than in Russia. [*Laughter.*] Hon. Members may laugh; but before they do so I invite them to go into some of the districts in Ireland where policemen and other creatures of the right hon. Gentleman are put at the head of affairs, and to all intents and purposes serve the purpose of the Bashi-Bazouks under the Turks or the military police under the Russian Government. I say that during the right hon. Gentleman's administration the Judiciary and the Magistracy have changed. I remember the time when the Resident Magistrates were gentlemen and were looked up to by the people, but now what sort of men have we? Such men as Colonel Caddell, who has been placed over a Registry Office, because he wanted a permanent place, and because he showed himself fitted for it by giving an Irish Member the lie direct. I say that in every way Her Majesty's government in Ireland has borne Dead Sea fruit. The government of Ireland for years to come will not recover from the baneful influence of the present Chief Secretary. The noble relative of the right hon. Gentleman, who in 1886 declared that the Irish people were worse than Hottentots, asserted that if he had sway in Ireland he would reduce it to a perfect state of calm. Well, has he succeeded in obliterating moonlighting in Kerry? I say he has not. But I say, further, that the Government do not try to root out criminal conspiracies, but spend their every effort in the vain attempt to put down legal combinations which would not be interfered with in this or any other civilised country save Ireland. The Chief Secretary, by the present horrible system of coercion, strikes at the freedom and the privileges of the subject, and very frequently shirks the issue when he has to do with criminals. We know that the Irish police have forged calumnies of boycotted persons, and we know that they have been backed up by the Resident Magistrates and the Dublin Castle officials, who want to make hay while the sun shines. While the Conservative Government are in power, they want to make as much money as they can, knowing that when the sunlight of liberty and justice illumines our dear island all these men and their claims will melt away. I think that in a little time we shall be able to see the signs of dawning prosperity in Ireland. The most significant cause of the improved state of things in Ireland at present has been overlooked. It is this. Ireland sees the wane of Toryism and the downfall of officialism, and believes in the promises made by the English democracy. She knows that ere long the present system of Government will be swept away. Her people have been able—and I say, thank God for it!—to put up with the reproaches and insults of the Head of the Government, who calls them Hottentots—although in 1891 he gives them what a Liberal Government was ruined for trying to give in 1885. The Irish people believe in the justice of their cause, and trust to the good faith of the English democracy, and that has had the effect of clearing away many of the clouds that have lowered over our country. Another thing which has done good has been the successful strikes which have lately taken place. I would just refer to one other point. We can all remember how hon. Members opposite who talk so much about law and order used to receive the name of the right hon. Gentleman the Member for Mid Lothian whenever it was mentioned in their Tory Clubs and other places of resort. They used to say he ought to be shot and that sort of thing;

in fact, everything in the shape of violent language that can be conceived was considered by Tory gentlemen to be only too good for the right hon. Gentleman. Now, however, most of those gentlemen seem to have learned a little wisdom and to display a little more sense than at the time I refer to. Within the past three years they have materially modified their mode of dealing with the Irish people, and now it is no longer necessary for our Irish aristocracy, or would-be aristocrats, to cultivate an English accent, because it will not do to speak with an Irish brogue. The Irish landlords are beginning to see the necessity of doing something for themselves, instead of trusting, as heretofore, to be bolstered up by Government grants or other kinds of adventitious support. The right hon. Gentleman will see, if he will only look into the matter and will judge for himself, that Irish landlords who in 1886-7 would have thought it a degradation to put their sons to a trade, are now beginning to understand the necessity of cultivating trade, and for once in their lives are putting their sons to work. I am disposed to think that the Chief Secretary at the termination of his fourth or fifth year of office begins to understand that what comes from our side of the House is absolutely true and correct; and I am glad to see the right hon. Gentleman treating the Irish Members with some consideration, and giving them really polite and courteous replies when questions are addressed to him. I am delighted to see the great advance that has been made in the House of Commons in this direction, even although it has taken place at the eleventh hour. I trust that when the twelfth hour comes we shall be able to count among the permanent friends of Ireland the right hon. Gentleman the Chief Secretary, who has already come so far on the road to conciliation. I hope that before long he will take a longer and bolder step; and that although he has made mistakes which he will, perhaps, confess in his management of the affairs of Ireland, I nevertheless look forward with hope to the day when there will be a complete and thorough re-organisation of Irish administration—such a re-organisation as even our Tory adversaries are beginning to admit can only take place when Ireland obtains the right to manage her own affairs. (8.38.)

(9.10.) MR. FLYNN: I do not wish to detain the Committee more than a few moments, but there are a few observations of the right hon. Gentleman that require comment. The Chief Secretary remarked upon a difference between this Debate and Debates in former years in the absence of specific cases of complaint against his action, but there have been some specific instances, such as that referred to by my hon. Friend the Member for Waterford, and he failed to reply to a definite and specific charge I brought forward. I stated that in his speech at Newcastle in September last the right hon. Gentleman prejudged and prejudiced the case of certain parties in a case before the Courts then pending. It was a case to be heard before Tipperary Magistrates, in which the police were summoned for assault. The right hon. Gentleman asserted, in effect, the innocence of the police, and, by implication, asserted that the civilians, including some Members of Parliament, were really the persons open to censure. I gave a quotation from the right hon. Gentleman's speech, and I think that is a definite and distinct allegation against his administration, and against himself personally. The right hon. Gentleman has rather jeered at the observation of my hon. Friend, that he has not done what he might have done in influencing landlords towards justice and fair-play to their tenants; that he has not used his influence in restraint of what amounts to a policy of extermination. Without any violation of the law, by the exercise of pressure within the law, he might have checked the policy of extermination pursued by Lord Clanricarde. Upon the Police Vote we shall have an opportunity of calling attention to this more particularly. It was within the power of the Chief Secretary to have represented that large bodies of police could not be withdrawn from their other duties to assist in carrying out evictions. So long as there remain a large body of tenants evicted from their holdings, it is hopeless to expect that social order will be established on a durable basis. I do

not say that the right hon. Gentleman has boasted of the success of his coercive policy, but his followers and supporters do proclaim on every possible occasion the success of his courageous, able, and statesmanlike administration. We traverse all these statements, and can show that the diminution of crime and the restoration of order have been due to other and totally different causes than his friends put forward. I do not accuse the right hon. Gentleman of boasting, but his Party boast that his policy has been a success. As a matter of fact, since 1887, where the reign of coercion has been most rigorous, where it has been carried out with the utmost brutality on the part of the police, and the most unscrupulous partiality on the part of Resident Magistrates, there it has most signally failed. For election purposes the policy has been partially repealed, but virtually there has been no repeal. According to a legal fiction, and by notice in the *Dublin Gazette* you may unproclaim certain districts under certain sections of the Act, but it is merely a legal fiction, for coercion still hangs over the country, and can be re-imposed by a single action of the Lord Lieutenant. The right hon. Gentleman may relieve all Ireland from the Act; but if he only keeps it in operation in a small district such as "Ireland's Eye," then, by the change of venue and special juries, cases from all Ireland may be sent to be tried there. The whole thing is a legal fiction intended to delude, as it has deluded, such as the hon. Member for Boston (Mr. Atkinson). The right hon. Gentleman says the Government are not to be blamed because they have not carried out the promise of Local Government, contained in the Queen's Speech of 1886 and the celebrated speech of the then leader of the House (Lord Randolph Churchill), and he says the time of the House has been occupied with other Irish measures, with light railways and land purchase. That may be so, but the Government took Office pledged to Local Government for Ireland —not to land purchase and light railways, but to Local Government on lines similar to the measures passed for England and Scotland. I join in saying that the Irish Members would welcome a measure for Local Government for Ireland framed on the lines of the measures passed for England and Scotland, but nothing less will satisfy us. We will not be put off with a shadow, and any insufficient or circumscribed measure it will be our duty to resist.

(9.27.) The Committee divided:—Ayes 56; Noes 96.—(Div. List, No. 365.)

Original Question again proposed.

(9.35.) DR. TANNER: I desire to call attention to one point, which is seldom made the subject of comment in these Debates. I think the Vote of £2,000 for the salary of the Under Secretary ought not to pass without challenge. The gentleman who now occupies this post was very good at first, and was against landlordism, but he has gradually fallen under the deadening influence of Dublin Castle, and has lent himself more and more to nasty ways and methods. If I had any desire to deal with this matter in a strong way I should certainly move to reduce the Estimate by the Vote for the Under Secretary, but I do not think any practical object would be gained by attacking an individual who may have been led astray—as many people, even Members of Parliament, like the hon. Member for South Tyrone, have been led astray under the sway of the Chief Secretary. But in regard to another item, that for the Inspectors of Lunatic Asylums, there is a particular definite point to which I wish to call attention—one accentuated not merely by people of the same pursuasion as ours, but by Conservatives, Liberals, and Liberal Unionists. One and all have condemned the present system as administered by Dublin Castle in connection with this matter. In connection with the lunatic asylums of the country, you have a number of Governors chosen directly by the Lord Lieutenant, in certain cases with the assent of the localities. But these gentlemen, being sent to carry on the business of these particular Boards, have no power whatsoever of dealing with the construction of fresh buildings which it may be thought necessary to provide to meet the wants and requirements of these unfortunate people. I remember, not so long ago, when I

happened to be up in rather a remote part of our island, near Ballina, taking up a Conservative paper. I certainly was convinced by it—and I am not easily convinced by any Tory paper—that this Department is extremely unfairly and very badly administered. This conviction was brought home to my mind in consequence of the remarks I read in this newspaper calling attention to the way they were being treated in County Mayo by the Dublin Castle officials. It appears that they remonstrated, and that what they wanted to get done they could not get done, and that on every occasion when they wanted anything done an official had to travel down from Dublin Castle to do it. That alone would tend to swell the item under sub-head "E" for travelling expenses of the Inspectors, and so forth. It does appear rather ridiculous that when you have a number of gentlemen—I do not say the best you could get, for, as a matter of fact, all these Governors in Ireland are drawn mainly from the landed aristocracy of the various counties by the authorities at Dublin Castle—on these Boards you ought to let them deal with the requirements of the patients. A great friend of my own, Mr. Alderman O'Brien, of Cork, who was selected by the Council of the City of Cork again and again as a proper gentleman to represent the city on the Asylums Board, again and again was rejected simply because he happened to be a Nationalist. He was rejected, and yet members of the Board are gathered from the most obscure points, and against the wish of the city are placed on the Board simply because they happen to have Tory proclivities. That is not fair, and will not tend to the satisfactory working of these institutions. But I would point out that even on a Board so constituted, on which we have no representation. there is no power to deal with buildings, Poor Dr. Nugent, who was recently an Inspector, discussed this very point with me. He said it appeared very absurd that the Government could not trust any Board. As a matter of fact, I think that in most localities properly elected people, who have the best interests of the local population at heart, might very reasonably be trusted to see that these unfortunate lunatics suffer no risk. I ask the Chief Secretary point blank whether something cannot be done to give the Boards of Governors some share in the dealing with local wants and requirements? Again, I ask how it comes to pass that you allow so many of these afflicted people to pass their lives in badly-appointed quarters? There is a vast difference between the treatment of the insane in the workhouses in Ireland and in the properly constituted asylums. In every respect it is better than the insane should be treated in the regular asylums; and in the hope that the Committee will obtain some satisfactory reply upon the question of lunacy administration from the Chief Secretary, I beg to move the reduction of the Vote by the sum of £1,000.

Motion made, and Question proposed, "That Item D, Salaries of Inspectors of Lunatic Asylums, &c. be reduced by £1,000."—(*Dr. Tanner.*)

*(9.47.) MR. T. W. RUSSELL: There is one point on which I am in agreement with the hon. Member for Mid Cork, and that relates to the necessity of the Boards of Governors having more control. I have just come from the North of Ireland, where I found this question was exciting great interest. One of the Boards of the Northern Asylums wished to purchase land and enlarge their premises, but the whole thing had to be done by the Board of Control in Dublin. The land was acquired; but the people who sold it, finding the Government were the purchasers, put a much higher price on it than they otherwise would have done. I am much more afraid of Public Boards starving the interests of local asylums and workhouses than I am of their extravagance. I should be glad if the Chief Secretary would look into the question of the powers of the Board of Control, on the one hand, and of the Local Governors on the other.

MR. FLYNN: The same kind of grievance exists in my district of Cork. The local Governors are not chosen on any proper franchise, but the Lord Lieutenant has a large power of selection, and surely the gentlemen chosen might be trusted to exercise dis-

crimination in regard to the affairs of the asylum. Things are going from bad to worse, for the local Governors are being generally deprived of their power. In the case of the Cork District Lunatic Asylum, the Board of Control sent down an Inspector, who certified for a large expenditure without the slightest consultation with the Board of Governors. That certainly strikes a blow at the principle of Local Government. I trust the Chief Secretary will give his immediate attention to the subject, and be able to devise some means by which the Local Bodies will have some voice in the management of the asylums.

(9.53.) MR. A. J. BALFOUR: The matter is one of very great importance, and I think I may claim to have done much to improve the condition of affairs. As to local control, the existing system cannot be modified, or modified permanently, without statutory power; but I have done my best, outside statutory authorisation, to induce localities to suggest to the Lord Lieutenant for appointment persons whom they think may fairly represent the localities. But there is a much more important question than that, namely, lunacy administration from a medical point of view. Ireland is scandalously behind England and Scotland in lunacy administration, and I appointed a Commission to investigate the whole question, and two Reports have been laid on the Table of the House to which I strongly invite the attention of hon. Members. In consequence of the recommendations of that Commission I have done almost all I can in the absence of legislation. Legislation is earnestly required, and I hope to be able to introduce it very soon. The Board of Control has been remodelled; and though it may be that in one or two instances it has exercised its authority in the manner hon. Gentlemen and those locally concerned in lunacy administration may think objectionable, I remind them that lunacy is a subject which must be in the main under the control or under the close supervision of the Central Government which contributes so largely to the support of lunatics. I quite agree that as much discretion as possible should be left to local representatives. This, however, is a large question to go into now, but I assure the Committee it is receiving our serious attention.

MR. FLYNN: I do not at all controvert the position that the Central Body should have a large share in the control of lunacy matters, but my complaint is that they assume all the control.

MR. P. J. POWER: I hope the right hon. Gentleman will consider whether the Boards of Governors cannot be made more representative than they are at present. It is true that the Central Government contribute largely to the support of lunatics, but at the same time a certain amount of the county rate goes to the support of asylums; but notwithstanding this, the ratepayers have no representation whatsoever on the Boards of Governors. Until quite recently we did not know what went on at the meetings of the Governors. Formerly the meetings were held in private, but now the Press is admitted to some of them, and we know, to some extent, what goes on.

Motion, by leave, withdrawn.

(10.2.) Original Question again proposed.

MR. FLYNN: There is a point I wish to raise in connection with the Irish Fisheries, and that is the threatened destruction or serious injury of the herring, hake, and mackerel fishing in the South of Ireland. I have asked a question on the subject, and the substance of the Chief Secretary's reply was that at present the Government have no power to interfere. The matter is very urgent, and I think there may possibly be some means found by which the Inspector of Fisheries can deal with the grievance of which I complain. The deep sea fishing from Youghal to Baltimore and along the south west coast is roughly divided into seasons; first of all, there is the mackerel, then the hake, and then the herring fishing. Latterly Scotch and Manx boats have come there to fish, and it has been proved beyond all doubt that these boats in fishing before a cer-

tain date in June catch immense numbers of immature mackerel and hake. Of course, they are destroyed. Experienced fishermen on the south coast, and Sir Thomas Brady, are of opinion that if the practice is pursued for any length of time it will lead to the extinction of the mackerel and hake fishings. I am not acquainted with International Law, but I am convinced that where there is a will there is a way. If the Government will not, or cannot, do anything, I should like to know whether I should be prosecuted under the Criminal Law Procedure Act if I went down to Kinsale and advised the fishermen to boycott and refuse supplies to those men who indulge in this wholesale destruction of fish? It is impossible that the inhabitants can stand tamely by and see strangers destroying with impunity the fishing which is the principal source of their revenue.

(10.10.) MR. A. J. BALFOUR: The fishing the hon. Gentleman complains of takes place outside the three mile limit; in fact, it occurs about 20 miles from the shore. [MR. FLYNN: About 12 miles.] The Government, therefore, have no more control over the sea in which the fishing occurs than they have over the seas on the coast of South America or of China. It is part of the ocean highway, which is common to all nations of the earth. We could pass a Municipal Act which would prevent any English or Scotch or Manx boat fishing there, but it would be quite impossible to pass an Act which would prevent any French boat fishing there. The result would be to leave the field entirely open to foreigners. The evil is a grave one, and is receiving attention.

(10.14.) DR. TANNER: I venture to say that if the state of affairs my hon. Friend complains of existed on the French coast there would be a pretty kettle of fish. The French fishermen would not put up with any of that sort of nonsense. Would the right hon. Gentleman in his wisdom advise us to boycott the outsiders who are destroying the Irish fisheries? If the Government have no power, the people must protect themselves. To make a municipal law calling upon the Scotch and Manx fishermen to discontinue this injurious practice would certainly be a step in the right direction. Then we should be able, with the assistance of a little boycotting, to drive off the French fishermen from our coasts, and our fishing interests would be safeguarded. I hope it will not be necessary for us to take a Division. It is really a matter of life and death almost to our Irish fishermen. The takes of fish on the banks from Cork Harbour to Cape Clear are the means of livelihood for a large seaboard population. If the right hon Gentleman will introduce some municipal regulation—it strikes me as a novel phrase as applied to sea pursuits—I am perfectly certain we shall be able to safeguard what ought to be a thriving, improving, prosperous industry.

MR. P. J. POWER: I have been assured that the injury is not done by French or by any foreign fishermen, but by British subjects, who would be amenable to such a municipal rule as the right hon Gentleman has spoken of. There is another matter to which I wish to draw attention——

DR. TANNER: Before we leave this point, and in the hope of obtaining something further from the right hon. Gentleman, I beg to move a reduction of the Vote under this head of £1,000.

(10.20.) Motion made, and Question put, "That Item G, Salaries of Inspectors of Irish Fisheries, be reduced by £1,000."—(*Dr. Tanner.*)

The Committee divided:—Ayes 72; Noes 117.—(Div. List, No. 366.)

Original Question again proposed.

(10.30.) MR. P. J. POWER: Before we take the Vote there is a matter to which I wish to direct attention in connection with the Fishery Board. As the right hon. Gentleman is aware, two years ago an Act was passed regulating steam trawling on the coast of Ireland, and this is a matter which much concerns the South of Ireland. Three years

ago an Act was passed prohibiting steam trawling within the three-mile limit on the coast of Scotland. Steam trawling there had done so much harm to the fishing that Parliament was forced to interfere. But the result is, that the trawlers thus prohibited from pursuing their calling on the Scotch coast have, in some instances, turned their attention to the Irish coasts, and there is reason to suppose they will do so in increasing numbers. Now, if they did harm on the Scotch coast, equally they may be expected to do harm on the Irish coast. The Act introduced for Ireland two years ago allows steam trawling on the Irish coasts, giving the Fishery Board power to prohibit it in districts where they see fit to do so. The view I took at the time was that the Act should be prohibitory, and that the Board should only allow it in exceptional instances. I did not, however, press my opposition, for it might have prevented the passage of the Bill. I remember my dear old friend Mr. Biggar wanted to kill the Bill, for he thought it utterly bad. We thought that inasmuch as the capital and influence were on the side of the proprietors of steam trawlers, it would be more fair to cast on them the onus of proof that steam trawling on any part of the coast would do no injury to the fishing generally. However, the Bill did not pass in that form, and steam trawling is allowed everywhere, unless the Inspectors prohibit it. I would ask the Chief Secretary to call the special attention of the Inspectors to the importance of this matter and to the harm which steam trawling has done on the Scotch coast. In my own constituency I have assisted in calling the attention of Inspectors to this, and after local inquiry they have prohibited steam trawling in certain districts, and I have no doubt they would be willing to take the same course in other districts if cause were shown, but they have much to do, and this may escape attention unless it is specially pressed upon their notice.

MR. A. J. BALFOUR: I do not think the hon. Gentleman need be under any apprehension as to any large amount of steam trawling on the Irish coast. If there had been any intention on the part of those interested in steam trawling to transfer their operations to Ireland from Scotland they would be there now, but I understand that there are but five steam trawlers on the whole coast. Whenever complaints are made of steam trawling, the Inspectors give careful attention to the matter, with the result that in almost every case steam trawling has been prohibited within the three-mile limit. On pages 25 and 26 of the Annual Report of the Commissioners the hon. Gentleman will see what has been done in the past year. The attention of the Inspectors is fully drawn to the subject, and I have not the slightest doubt that they will continue to keep a watchful eye upon it.

(10.35.) DR. TANNER: The Report of the Scotch Commissioners shows the great progress made in Scotch fisheries during recent years, and these Reports contain much valuable information. The Chief Secretary, who happens to be a Scotchman, will recognise this, and I hope the same rules and regulations which have been so advantageous to Scotch fishermen may be applied to Ireland.

*SIR J. COLOMB (Tower Hamlets, Bow, &c.): It is within my personal knowledge that on certain parts of the west coast the Inspectors pay the greatest attention to this matter. There is steam trawling and steam trawling, and most of the steam trawling is confined to depths local boats cannot reach.

MR. T. M. HEALY: There is a matter to which I desire to refer—the control exercised by the Board over lunatic asylums in County Carlow——

THE CHAIRMAN: That item has been passed by.

DR. TANNER: There is a point in connection with the Veterinary Department which I really think deserves a little attention. There are two Travelling Inspectors, each receiving £300 a year. One of these gentlemen, I find, is a retired commander in the Royal Navy, as such receiving £350 a year. Now, here is a good, or bad, example of the kind of jobbery that is carried on under the ægis of Dublin Castle. I do not

think you could find an appointment more calculated to raise ridicule upon the Department, and expose the way in which these appointments are made to various positions. Why should a retired commander of the Royal Navy be appointed to the Veterinary Department? I could understand it if the gentleman had served in the Horse Marines. In order to get some explanation on the subject, I beg to move to reduce the Vote by £300. This ex-nautical Veterinary Inspector draws from the country £650 a year, but I do not think that we are called upon to agree to this pitchforking of Castle favourites into these positions. The other evening we had a long discussion, initiated by the hon. Member for the Partick Division (Mr. J. P. Smith) on the shipment of cattle from Ireland to the Clyde, and the hon. Member made grave complaints of the manner in which the cattle are treated. I think this is pertinent to that subject, and the hon. Member should be interested in the appointment of these Inspectors. I know that in relation to the cattle trade from Cork and Waterford to Bristol and Milford you find that members of the Constabulary are employed as Inspectors, and they are well paid for their duties. When we have such loud encomiums on the loyalty and devotion of the Royal Irish Constabulary we cannot forget they are well paid for their shouting, but I think if these perquisites were withdrawn their enthusiasm would somewhat cool. I suppose such items as these scattered through the Estimates make up an addition of £300,000 or £400,000 to the Constabulary Vote. No wonder there is an anxiety among these supporters of the Government that Her Majesty's present advisers should continue in Office. I admit that some of these men do their work as Inspectors very well, but, on the other hand, I must condemn the system that makes the appointments so largely from the ranks of the Constabulary. But to elicit some information about this distinguished naval veteran, I move the reduction.

Motion made, and Question proposed, "That Item K, Salaries of the Veterinary Department, be reduced by £300."—(*Dr. Tanner.*)

(10.44) MR. JORDAN: I think we ought to have some explanation why this retired naval officer received the appointment, when I am sure there are many competent men who have qualified themselves for the position by special study. From the ranks of the profession surely a properly qualified Inspector could be found, one who is not in receipt of a pension from the country. If this officer were appointed to inspect ricketty vessels and ships which carry horses and cattle I could understand why they should select a naval officer; but even then I do not think the Chief Secretary would find it impossible to get sufficient aid in the Veterinary Department itself to carry out such inspection. It is too bad that, unless special necessity exists for it, a man who has retired from the Navy on a pension, should receive £350 a year from the Veterinary Department, ousting an official of that Department from the position. I think that in these matters the cobbler ought to stick to his last, and that a naval officer should not be appointed when it is possible to get a veterinary officer.

MR. FLYNN: I am not surprised at the observations of my hon Friends, but I would ask the hon. Gentleman the Member for Mid Cork (Dr. Tanner) not to press the matter to a Division. No doubt it is a matter that deserves severe criticism, that for a civil appointment of this kind connected with the Veterinary Department you should select a retired naval officer. Such a person would naturally know more about ships and guns than about horseflesh. To discharge the duties properly we ought to have a man who understands horses and cattle and their diseases, and their condition after long periods of travel; therefore, I think it is a class of appointment that ought not to be given to a naval officer. However, as the point is rather a small one, I think my hon. Friend would do well to withdraw his Amendment.

DR. TANNER: I want to know who this gentleman is? I would explain that my Amendment is intended

as a protest against the practice of pitchforking into lucrative positions persons who can bring family influence to bear upon Members of the Government. I protest against a man, simply because he has influential acquaintances—some noble Lord who may directly or indirectly know the Chief Secretary, or his cousin or his aunt, or something of that sort—being pitchforked into a position of this sort. These people always go with the same cry, "You know you have reduced our rents and have given all we had to the terrible Home Rulers. Will you not give us this little trifle—only a travelling inspectorship?" I have spared the Chief Secretary's blushes on other Votes, but will the Chief Secretary tell the Committee something about this efficient Conservative Horse Marine who has been made Veterinary Inspector?

(10.51.) MR. A. J. BALFOUR: All I can say is that I know nothing about the gentleman except that I have reason to believe that he does his work efficiently. The appointment was not mine.

COLONEL NOLAN: I would ask whether this officer has qualified by examination as a veterinary surgeon? It is possible that, although a naval officer, he may have studied in some Veterinary College; and if he has qualified himself, no doubt it would be fair on the part of the Government to appoint him. I should like to know from the right hon. Gentleman whether this gentleman has passed an examination?

MR. A. J. BALFOUR: There are some Veterinary Inspectors, but this gentleman is a Travelling Inspector.

COLONEL NOLAN: What does he do?

MR. A. J. BALFOUR: Under the Act of 1878 he has to deal with Orders in Council relating to the transit of animals—to see that the transit is properly carried out, and that the provisions with regard to the export of cattle are duly observed.

COLONEL NOLAN: I think we ought to have a little more information on this matter. It is important that we should know whether this gentleman's duties lie entirely in connection with the inspection of vessels. I am under the impression that the duty of the Inspector is to examine pigs and cattle, and so on; and it seems to me that the burden of proof rests on the Chief Secretary. He ought to be able in defending this appointment to show that this gentleman's duties lie considerably in the direction of the sea. I can quite understand that this gentleman will be better able to inspect the shipping of cattle and horses and the arrangements for their comfort on board ship than a purely veterinary officer, but I certainly think that promotion should go from the Department, and that there are many veterinary officers in Dublin who could fill this post, and who could very easily get up a knowledge of cattle arrangements in ships. If you stick everybody who wants £350 a year into a post of this sort, the policy is open to very serious objection. The right hon. Gentleman has not said one word as to whether this Inspector is qualified for the work.

(10.56.) MR. A. J. BALFOUR: I would point out that the appointment was made long before the present Government came into Office. Apparently, the sole charge which hon. Members opposite have to bring against this gentleman is that he is a gallant naval officer. There is no pretence that he is incompetent, no ground for supposing that Lord Spencer committed a job in appointing him. In any case, this appointment is a legacy from a previous Administration. Hon. Members opposite would make a Government responsible for every appointment made by preceding Governments. I decline to accept such responsibility. Of all hon. Members in the Committee, I should have thought that the hon. and gallant Member would have been the last to suggest that a gentleman, who has served his country in the combatant forces, is an incompetent official.

COLONEL NOLAN: The right hon. Gentleman has imparted an undue amount of warmth to this discussion. I said nothing about the fact of this gentleman being a naval officer unfitting him for this post. The question I asked was whether he had passed any qualifying

examination in a Veterinary College. I specially said, or implied, that a naval man who had passed this examination might be a very good officer for the post. I know nothing about this gentleman, and was laying no trap for the Chief Secretary. I rather thought the Inspector had passed an examination, because I have known men pass such examinations late in life. What I asked of the right hon. Gentleman was that he should show that this gentleman who has spent most of his time amongst shipping qualified himself for the post of Veterinary Inspector. He has not shown that. All he has said is that he was bound to take over the appointment made by his predecessor. No doubt that is so, but I think I have a right to ask for an answer to my question. If the right hon. Gentleman defends this appointment he is bound to show that the qualifications of this gentleman fit him for the post; that he has not been appointed to it simply because he was a naval officer. I think that, seeing the right hon. Gentleman has now been in office five years, he ought to have found out if this was a suitable appointment. The Veterinary Department is one of extreme importance to Ireland, and I have no hesitation in saying that any want of knowledge on the part of its officers might easily cause a loss of £1,000,000 sterling in one year. If an idea crept into the heads of the farmers of England or of the great buyers of Irish cattle that those cattle were peculiarly liable to disease, the price would at once fall at least £2 a head, and the appointment of presumably inefficient Inspectors would certainly give rise to such a suspicion. I believe that in the past the Department has been very successful in stamping out disease. No doubt it has had to adopt very despotic measures, but I should always back them up in that. I believe that it is only in the County of Dublin that there is now any special liability to cattle disease; but as long as the Chief Secretary chooses to keep in office gentlemen who have not passed through the Veterinary Colleges, I cannot say that the Department is wholly free from the imputation brought against it by the hon. Member for Mid Cork. I am sorry to say that the Chief Secretary has treated this matter with extreme levity, seeing that it is one of vital importance to Ireland; for any neglect in the appointment of qualified Inspectors is not only dangerous, but may be fatal to the cattle trade of Ireland. Will the right hon. Gentleman tell us if this naval officer has any special qualifications for the work?

(11.6.) DR. TANNER: The right hon. Gentleman said just now this officer was appointed by Lord Spencer, and immediately afterwards he said he could not be held responsible for appointments made 40 years ago. Surely, when dealing with a matter of this kind he ought to be a little more accurate in his statements. When he rises to defend a Member of the classes—a gentleman who, having served his country for a time and secured a pension, supplements his income by taking one of these appointments—he ought to be careful about his dates. We know very well that Lord Spencer was not responsible for appointments made 40 years ago. I have no intention of dividing the Committee on this matter however; I am content with the discussion which has been raised, but I am surprised that the hon. Member for the Partick Division of Lanarkshire has taken no part in it. The other evening he initiated a Debate on the cruelties of the cattle-carrying trade. Now, surely the duties of Inspectors are closely connected with that subject, and if inefficient men are pitchforked into the office lamentable results may follow. The hon. Member, in a speech of an hour and a half's duration, described the suffering of these poor creatures on board cattle steamers. He has had nothing to say to-day, and I always find in connection with speeches made by celebrated humanitarians that immediately they get a chance of enforcing their views by reducing the salaries of Ministers they promptly shirk the issue.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

3. £1,496, to complete the sum for Charitable Donations and Bequests Office, Ireland.

4. Motion made, and Question proposed,

"That a sum, not exceeding £103,912, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Local Government Board in Ireland, including various Grants in Aid of Local Taxation."

(11.10.) COLONEL NOLAN: I see in this Vote there is an item of £74,000 for Medical Officers, &c. The custom in Ireland is for dispensary medical officers' salaries to be paid half by the rates and half by the Government. That in itself is a very fair arrangement, but the blot on the system is this: that the ratepayers have to pay the whole of the pension granted on retirement. The result is that, at the present time, the Boards of Guardians will not retire any medical officer so long as he is fit for the work at all, because they have to pay the whole of his pension. I think that some system should be adopted under which the State might contribute a certain portion of these pensions. If the Chief Secretary will take the question into his consideration and introduce some scheme of that sort, he will be effecting a very valuable change. Of course, it would be necessary to give the State a voice in the question of allowing an officer to retire, but I do not think the Guardians would object to it. The position of a dispensary officer in Ireland at the present time is a pretty good one. Only two faults can be found with it. One is that people who can afford to pay often employ the officer under the dispensary system. That, perhaps, is partly his own fault for charging such high fees. The second blot is, of course, that of retiring pensions, which I have already explained. But to return to the fault which arises from the charging of unduly high fees. We know that medical etiquette in Ireland is very strong, but I think the Local Government Board might help to break down the practice of charging £1 fees, and secure the introduction of a system by which medical officers should attend paying patients for fees of 2s. 6d. or 5s. I believe that would be a great advantage to the medical profession of Ireland. I know that in the last four or five years a practice of charging lower fees has been slowly growing up; but I believe that if the Local Government Board took it in hand, the dispensary officers would gladly fall in with it.

(11.20.) MR. T. M. HEALY: I think that the action of the Local Government Board with regard to labourers' cottages in Ireland has been on the whole satisfactory, but, unfortunately, a system has grown up among the authorities of discouraging the Inspectors should they report in favour of supplying such cottages. It must be remembered that these Inspectors are not naturally on the side of the people; and when they report on the necessity for these cottages, they do so because they have investigated the subject on the spot, and have realised what is necessary, in spite of the objections of landlords. I am afraid the mischief is done at the Privy Council, and I think the Board ought to take more active steps in the matter on receiving Reports from their Inspectors. I have endeavoured two or three times on this Vote to put some "stiffening" into the backs of these Inspectors, to let them see that the Nationalist Party will support them in their very moderate action. I think that it is a very hard thing that while they are endeavouring to do their best they should be snubbed by the Lord Chancellor and the Judges. Yet it is often the case; they recommend the building of 100 cottages; the Local Government Board authorities cut the number down to 30, and finally the Privy Council issue an order for the erection of 10. This is not at all creditable to those right hon. Gentlemen who compose the Privy Council. At the same time, I think that the Local Government Board do not proceed on the best lines with regard to Boards of Guardians. In none of the Ulster counties is there a single labourer's cottage, with the exception of Cavan, the only county where the Nationalists are in command. In the County of Antrim, the richest county, there is not a single labourer's cottage, and the same may be said with regard to the Counties of Down, Monaghan, and Derry. This is a most discreditable state of things. I

often wonder that the Orange Party do not insist upon something more being done for the labourers than has been done in the past. There is a reason, but it is not understood by the people. In my opinion, the reason is to be found in the fact that a £30 valuation is a necessary qualification for a Guardian. That means often that a man must occupy a farm of £50 rental. That is a big farm, and how can you expect such a man to be very keen in the interests of the labourers? That qualification ought to be reduced, and then we should get men on the Boards who have the interests of the labourers more at heart. You do not now insist on a special qualification for Members of Parliament or of Town Councils, and why should it not be abolished in the case of Boards of Guardians? Some months ago I read that the Local Government Board had withdrawn from the Boyle Union the sum allocated to it out of Ireland's share of the licensing grant. I wish to know what has been done with that amount? Was it paid back into the Treasury, or is it kept in the pockets of the Local Government Board? I remember the attitude of the Orange Party when the question of the distribution of this money was under consideration. We wanted that it should be spent for labourers' cottages; but the Conservative Party said that if that principle were laid down, the districts in which they have control would get none of it. We Nationalists thereupon gave in, at the same time expressing a hope that more cottages would be erected in Orange districts. What has been the result? The dog-in-the-manger policy of the Ulstermen has prevailed, and the money has not been used. I say the Orange Party have no business to bury their talents in the sand; if they will not make use of this money, let us have it to spend in the South, West, and East of Ireland. It is a great defect in the government of Ireland that we should have to wait till late in the Session for information on these matters. Ireland ought to be treated like a foreign country, and Blue Books published in regard to its affairs, as is done with regard to Madagascar and Burma, and I think we have a right to complain of the way in which the licensing grant has been distributed. As to Local Government, I would suggest the Government should obtain the opinions of Nationalist Members by circulating an outline of so much of their scheme as need not be kept secret. The Irish Members will support the Government in any measure of Local Government brought in if it is a good one. The subject is one in which they take a deep interest; and if the Government are anxious for local institutions to be established in Ireland in a really constitutional manner, I am sure they will not find much objection from the Irish Benches. It is not likely that the exigencies of the Liberal or any other Party will induce us to offer blind opposition to a good measure simply because it is proposed by a Conservative Government. That is all gammon. We shall not do anything of the kind. If the Government bring in a good Bill, and one which we can approve, we shall not care a straw about the exigencies of Party politics. I think we are entitled to ask the Government now to revise the system under which the Probate Grant is distributed. I should like also to see our Poor Law system reformed. At present the country is studded over with an enormous number of poor houses, some of which are of little use; and I should like to see a scheme whereby, with the consent of the people, some of the Union districts were suppressed and merged into others. I know great difficulty would arise from conflict of interests—the interests of various officials and of contractors—but a Central Authority would have great advantage in dealing with these matters, and would be able to reform a system which is now cumbrous, expensive, and highly unsatisfactory. Finally, I want to know what is the Board of Control? That Board is imposing on the County of Carlow and part of Kildare an expenditure of £48,500 in connection with the lunatic asylum, and the managers of that institution, together with the Grand Jury, are protesting against a system which deprives them of all control over the expenditure. They are asking for an alteration of the law securing to them some control. May I ask for an explanation of this action on the part of the Board of Control?

(11.38.) MR. A. J. BALFOUR: The question of lunacy has been engaging the attention of the Irish Government, and I appointed, a year or two ago, a strong though small Commission to look into the question. Its investigations disclosed a most scandalous system of administration. I hope to be able to introduce the necessary alterations of the law, which must be carried into effect before a real reform can be made in the Irish administration on this point. One of my first acts, on the Report of the Commission, was to appoint a Board of Control. That was done under existing statutory powers, but the system had somehow fallen into desuetude. Such a Board is necessary, for sometimes an increase of accommodation is necessary in the interests of the lunatics, and then the Board can order it to be provided. I will, however, consider whether it is not possible to provide some appeal in the case in which the Board of Control decides that further accommodation must be provided. The question requires the most careful attention. As to the Labourers' Act, very little money has, no doubt, been used in Ulster for this purpose. It is a very serious matter to deal with the question raised by the hon. Member as to the desirability of lowering the qualification for Guardians. I would point out that to have allocated the licensing grant solely for the erection of labourers' cottages would have been to devote cash contributed by the whole of the community to an object which would benefit only a small section. I will not pronounce an opinion as to the desirability of lowering the guardianship qualification, but I will suggest that it would be bad policy to lower the qualification merely for the purpose of enabling the Guardians to better administer one particular Act with which they have to deal. The Poor Law administration is one of the most important in the country. It goes to the root of the agrarian life of the district, and any change in it should be adopted with extreme caution. I will re-consider the question as to the distribution of the fund allocated last year. Of course, it is easy to raise objections to any system of allocation on the basis of population, expenditure, or valuation. The unused portion of the grant amounts, roughly, to £15,000. This has been placed to the credit of the Local Government Board, and the money will be issued under the powers given by the Statute to those Boards of Guardians entitled to receive it for labourers' cottages.

MR. T. M. HEALY: How about the Boyle Union? I gather that the Local Government Board, seeing the Guardians were not prepared to use that money, have withdrawn it from them. Have they lost it altogether, or can they get it in another year, when they have a scheme ready?

MR. A. J. BALFOUR: I do not think the Guardians lose the money by not employing it in a given year. It remains to their account to be used when they have fully matured their schemes. As to the action of the Privy Council with reference to labourers' cottages, I think that the House will not consent to those Acts being left to the administration of the Local Authorities. Land might be taken without the consent of the owner, and there must be some authority of a judicial, if not of a legislative, character which will have the power of giving consent for the compulsory powers to be put in operation. Dealing with the suggested contribution by the State towards the pensions of medical officers, a question as to which was raised by the hon. and gallant Member for Galway, I think that hon. Members must feel that it is a very large change which has been suggested, and it would be necessary, first of all, to obtain the consent of the Chancellor of the Exchequer. It is not a change which could be confined to Ireland. The question is a large one, and, if the money is forthcoming, a very good object would be served in carrying out the suggestion, but it would be rash in me to give any pledge in the absence of the direct sanction of the Chancellor of the Exchequer. The hon. and gallant Member also suggested that the Local Government Board should interfere with a view to reducing the fees now charged by medical officers to paying patients. No doubt it is very desirable that the high fee of £1 should not be maintained, but for the Local Government Board to

lay down any rules affecting the charges of dispensary officers might cause considerable injustice in districts where there are medical practitioners not in the public service. I think, however, the remarks of the hon. and gallant Member may serve a good purpose, and that the force of them will be appreciated by the profession in Ireland.

(11.50.) MR. A. O'CONNOR (Donegal, E.): I think it will be generally admitted that the Poor Law administration of Ireland is scandalously behind that which obtains in England. I think there is hardly any portion of the work of the Local Government Board which is properly done. It would be a very good thing if the general Inspectors in Ireland could be sent over to England to learn something of the administration of the Poor Law in England. The unions and infirmaries in Ireland are conducted very laxly, and the officials from top to bottom perform their duties in a very perfunctory manner. Their chief object is to draw their salaries. An intelligent administration would so conduct matters as to endeavour, at any rate, to save the children, but the system in Ireland leads to the multiplication of hereditary paupers. Once inside the poor house, and all hope must be abandoned. I have known cases where the only playground for the children is the quarter inhabited by idiot women. Then, it is evident that classification is not properly attended to. I should like to see some of the English Inspectors visit Ireland and thoroughly overhaul the work of the Irish Inspectors. Another matter of complaint is that the medicines supplied to the poor cannot be of proper quality, because of the prices paid for them by the Guardians, and many of the dispensaries are so affected by damp that the drugs are not fit to use. I have raised this question before, and I should like to know whether any inquiries have been made as to it during the past year?

*(11.56.) MR. KNOX: I believe the Vote includes a sum for the payment of the Special Inspector in connection with the Seed Potatoes Act.

THE CHAIRMAN: That is a special Estimate.

*MR. KNOX: Then, Sir, I will defer my remarks on that point. But I believe that some of the ordinary Inspectors of the Board were employed by the Local Government Board to inquire into the exceptional distress, and I have to complain that their work was done in a very perfunctory manner. The Inspector sent to Cavan did not go to the Guardians or to the ministers of any denomination, at any rate in the town of Cavan; they merely went to the Relieving Officers, who are not in the least qualified to give information with regard to exceptional distress. The man in the occupation of land who was the victim of exceptional distress does not come under the operation of the ordinary Poor Law, and, therefore, the Relieving Officer would know nothing about him. This conduct of applying only to the Relieving Officer or to the police illustrates in a significant way the policy of the Inspectors. They are almost always men who have been jobbed into their places without any regard for their qualifications for the post. They are appointed because they belong to a certain clique, and not having any actual knowledge of Local Government, they get through their work as quickly as they can without regard to efficiency. In some other parts of the Division the Inspectors did not inquire as closely as they ought into the cases of the distress. I may mention that though attention was called to the relief of distress in County Cavan in the month of December, the Chief Secretary did not admit the need for any relief until the end of the month of May, when some relief works were started.

(12.2.) MR. FLYNN: I desire to support the hon. and learned Gentleman the Member for North Longford with regard to these Provisional Orders. There exists the greatest possible necessity to strengthen the hands of the Local Government Board Inspectors when they go before the Privy Council. It is a most disheartening thing for a Board of Guardians to go to a great deal of trouble and expense, and then to find that 50 or 60 per cent. of the cottages approved of by the Inspector are absolutely rejected by the Privy

Council on grounds the most flimsy. The Inspector may cite the evidence, but he can make no stand against the Privy Council, and tacitly accepts the decision of these men, the bulk of whom are antagonistic to the working of the Act. If the Government mean to carry out the Act it is their duty to see that the Inspector, when he goes before the Privy Council, makes a stand for the rights of these poor and oppressed people. When the Inspectors were going round during the earlier periods of the distress the person they never called upon was the Roman Catholic priest or curate. In a few cases they called on the elected Guardian of the district; they invariably called at the police barracks, and occasionally they visited the Relieving Officer. Government Inspectors engaged in this so-called mission of mercy and relief visited dis tricts in and around Kerry, and few people knew of their presence. The priest knew nothing about the visit, and the Poor Law Guardian knew nothing about it. In certain districts it was almost impossible to find whether the Local Government Board Inspector ever left his hotel door. This shows that there is great need of overhauling the whole system of Local Government Board inspection. Now, upon this Vote I desire to refer to the action taken in regard to certain Nationalist newspapers. The Local Government Board have not been above the practice of boycotting newspapers because of their advocacy of Nationalist opinions. Some time ago I protested against the boycotting of the Tory newspaper in the City of Cork, but what are we to say of a powerful Government Department which pursues a policy of that kind. It was necessary that the Board should issue advertisements concerning a graveyard in the Youghal Union. There were three newspapers there. Two were Nationalist and the third Tory. The latter paper, which had but a small circulation, was singled out for the order for the advertisement. The proprietors of the two Nationalist papers protested by letter to the Local Government Board, but no heed was paid to their protest. The editor of the Carlow Nationalist had complained to the Board that while his paper had five times the circulation of the local Conservative organ, the Board's advertisements had been withheld from him and given to his rival. The Board replied that—

> "You are under a misapprehension in supposing that the advocacy of particular political opinions is any reason for giving or withholding Government advertisements. If advertisements were withheld from the *Nationalist and Leinster Times* it was solely because that paper continued to violate the law."

What was the violation of the law? It was the insistance on the part of the proprietor to publish reports of National League meetings. The Government by their action in this matter are setting a very dangerous example to political parties in Ireland and to public and local representative bodies.

(12.15.) MR. JORDAN: I desire to direct the attention of the right hon. Gentleman to the mode in which the Medical Department is administered. In the Union to which I belong we have had a considerable amount of difficulty in relation to the medicine contract. I can bear testimony to the dampness of the dispensary destroying the medicines. The medicines are bad originally, but they get worse by being kept in damp dispensaries. We have had a long contention in relation to the medicines. We consulted the county analyst in Dublin, and he reported that the medicines were not sound. In many cases there was a large percentage of adulteration. It is scarcely to be wondered at that the medicines are adulterated, because some of the contractors take the contracts at prices which cannot pay. After all, I consider the Local Government Board are not so much to blame as the Guardians who take the contracts. I believe in coercing the Guardians upon a point so vital to the interests of the poor, the quality of the medicines supplied to them. There should be some standard of quality established, and the Local Government Board ought to insist upon the Guardians purchasing the best possible goods. What are the medical Inspectors for, if they do not see that the best medicines are obtained and kept in proper places?

*(12.20.) SIR J. COLOMB: I have listened with a great deal of interest to the remarks of the hon. Gentleman concerning the medicines dispensed in the

Union dispensaries, but let me point out that the remedy really rests with the people themselves. The medical officers are appointed by the Dispensary Committees, and appointed in conformity with local feeling. I know nothing more lamentable in the modern history of the South of Ireland than the way these appointments are made. It is most painful to see the health and lives of the people of a whole district jeopardised owing to the innate desire to job on the part of Dispensary Committees. It was all very fine for hon. Members to say that Medical Inspectors should be sent down to see that proper medicines are procured and kept in a proper place. As far back as I can remember the medical officer in my own Union reported that medicines could not be properly kept in the dispensary, but it took years and years to get a new dispensary built. Until the ratepayers become more alive to the necessity of exercising impartially the power they have, we shall not get these things remedied.

(12.27.) COLONEL NOLAN: If all the power rests with the Boards of Guardians, what is the use of having a Local Government Board? In respect of Poor Law administration, you want a Local Board to administer details and a Central Body to exercise supreme control. In regard to the quality of medicines, the Central Body can engage an analyst, and a Local Board cannot do it to the same advantage. The hon. and gallant Gentleman says the remedy rests in the hands of the Boards of Guardians. This House settles the number of *ex officio* members of Boards of Guardians, and the qualifications of the elected Guardians, and then the hon. and gallant Gentleman says the people are at fault in questions such as this under discussion. I venture to suggest to the hon. Gentleman that if he thinks over it he will find that these Local Boards are controlled by regulations laid down by the Central Board. In regard to the question of medicines, I should say the remarks of my hon. Friend are useful, but I would not push them too far. Medicines may be cheap, and they may be good also. In the Union where I have the honour to be chairman we accept the cheapest tender, but we leave it to our medical officer to say if the drugs are good. But, then, it does not follow that every medical man is a good chemist, and I think the Local Government Board might fairly undertake to analyse drugs sent to them, free of charge, and the Reports being circulated among all the Boards of Guardians would greatly tend to check the supply of bad medicines. I do not say that the medicines supplied are bad generally, and I know it cannot be said in the Union where I have had experience. Of course, we know that in the West of Ireland dampness is a condition of the climate, and unless you have specially constructed dispensaries, I do not see how you can prevent the risk of deterioration on this account. The dispensary is often a room in a house, and to have a fire kept going daily means that you must have an attendant, and you cannot keep the room locked up. I do not see the necessity of building new dispensaries, and all that can be done is to select the room most suitable, and if the damp is serious the medical officer should report upon it. On the question of labourers' cottages most of the hon. Members who have spoken have referred to the South of Ireland, but the conditions of life in the West are somewhat different. What we want is the repair rather than the erection of cottages, and expenditure is more useful in this direction. As to the treatment of children in workhouses, I believe they are tolerably healthy but very listless, and there is, I admit, a tendency to return to the workhouse after leaving it. I am afraid if you make the condition of things too comfortable it may tempt parents to desert their children, knowing they will be comfortably provided for in the workhouse. I think the Chief Secretary might consider whether some remedy might be applied whereby children might be sent from the workhouse to an industrial school, the absurd rule about the commission of a crime being a qualification for admission into an industrial school being abolished.

(12.37.) MR. A. J. BALFOUR: The suggestion that workhouse children should be sent to industrial schools is a useful one to consider in relation to Poor Law administration, but it is not a question we can profitably discuss now. The

discussion in regard to medicines has been an interesting one, and I take special note of the suggestion that the Local Government Board should gratuitously analyse medicines sent to them by Guardians for that purpose. Undoubtedly, as my hon. Friend has said, it is the duty of the local bodies to see that they are supplied with good drugs, but I think also, it is the business of the Local Government Board to assist to that end so far as it lies in their power; and, therefore, the suggestion made by the hon. and gallant Gentleman shall be carefully considered. I hope the Committee will not think I am going beyond my duty if I now ask them to take this Vote and the two or three following Votes, which do not excite much interest or call for much discussion.

(12.40.) MR. P. J. POWER: The hon. and gallant Gentleman who has treated the Committee to a lecture on the duties of Guardians does not belong to the class from which the elected Guardians are chosen. It does not lie in the mouth of any *ex officio* Guardian who merely attends Board Meetings to effect some job to speak of the Guardians neglecting their duties. If there is any neglect of duty on the part of Guardians, should not the censure for that fall heavier upon the *ex officio* members as belonging to the educated and learned class, and who should, therefore, pay the more attention to the duties of Guardians? As a fact, the *ex officios* attend the Board meetings seldom, and then only to perpetrate some job, suspending orders for the purpose, and neglecting the ordinary business. As a matter of fact, you find in Ireland that only where the Nationalists are in the majority on the Boards of Guardians are the interests of the poor in the district properly regarded. But the Tory Party seem to have an inherent dislike to elected bodies; see how they sneer at the London County Council. The Report of the Local Government Board is about as sad reading as we can find. There is a decrease in the amount of relief, but, on the other hand, there is a woful decline in the population of Ireland. I would ask the right hon. Gentleman if it is the intention of the Government to continue the Labourers' Act, which, I think, expires this year, because some schemes are in progress and they cannot be carried without an assurance on this point?

*(12.45.) SIR J. COLOMB: In reply to the remarks of the hon. Member I may say that the Union I had in mind has a Board consisting of about five *ex officio* Guardians and 25 elected Guardians. [An hon. MEMBER: It is impossible!] It is the Kenmare Board of Guardians.

DR. TANNER: I have been an elected Guardian of the Cork Union for a considerable time, and I can confirm from my experience what my hon. Friend has said as to the general action of *ex officio* Guardians——.

THE CHAIRMAN: This controversy as between the two classes of Guardians does not in any way arise upon the Vote. The hon. Member will not pursue the subject.

DR. TANNER: Very well, Sir, I will move a reduction instead. It is hard to have to listen to such strictures, and, knowing them unjust, to have no opportunity of replying. However, I will content myself with giving a complete and emphatic denial to the statement of the hon. Gentleman. Then I turn to another point, the advances made for labourers' cottages. I think we have much reason to complain of the red-tapeism of the Local Government Board in this regard, and I hope that in those Unions where labourers' cottages are much required more attention will be paid to this subject. Then, I think, we have reason to complain of the conduct of Local Government Board Inspectors. It is too much their habit to occupy their time at the country houses of landlords of a district. Such is the case which Colonel Speight, who lives among those who are entirely antagonistic to the ideas, wishes, and desires of the great body of the people, and a feeling of distrust of his action is thereby created. I have known Colonel Speight date messages from the Conservative Club, calling attention to the shortcomings of one and another of the officials connected with the Cork Union. It would induce a better state of feeling if these gentlemen

avoided the appearance of taking sides, and lived at hotels, instead of at Conservative Clubs and the houses of distinguished Conservative gentlemen. I should like to know also how the Assistant Commissioners are chosen. Some of them are hardly up to the requirements of their position. I am not alluding to the Medical Commissioner, for he is nearly always a distinguished medical man of some standing, perfectly capable of dealing with the matters which come under his consideration; but I very much doubt the qualifications of others for dealing with Poor Law business. They draw good salaries, and a considerable amount for travelling expenses; the amount we are called upon to pass under that head this year was £3,830, and it was rather more last year. Taking all the facts together, I think the Local Government Board in Ireland is most extravagantly administered. In connection with the Labourers' Acts, costs are heaped up to an extravagant extent, and if these Acts are to be continued I hope something will be done to cut down this expenditure. Then, again, I cannot see how £800 a year can be spent in providing vaccine lymph. A very few calves would provide the lymph required in Ireland. Hundreds of children can be vaccinated from one calf, and in very many cases there is a well-founded objection to children being vaccinated direct from the calf, because it has too powerful an effect. I recollect one instance where an aristocratic lady, refusing to allow her child to be vaccinated with plebeian lymph, insisted on the use of calf lymph, and the child died in consequence. As regards medicines, I must say that I have not known many instances of their being supplied of bad quality, and I know that in the Cork and Macroom Unions they are of very good quality. In remote districts it may be that the contractors play tricks with the drugs supplied, and I think that the suggestion of my hon. and gallant Friend that the Local Government Board should supply an analysis is a very useful one. I must take exception to some remarks made about the Irish dispensary doctors. As a class, they are not inferior to any class of medical men you can find, and considering the arduous lives they lead in some of the more remote districts, I think they are much underpaid. As a matter of fact, I am proud of our medical men; they keep up their fees where they attend the wealthier classes, but work for little or gratuitously among the poor, and at considerable risk of infection. I am glad to say that Irish medical men have a high sense of the dignity of their profession; you do not find them going about cadging for work at low fees, as is sometimes the case in England. If it were in order to do so I would move for an increase of the remuneration to Irish dispensary doctors, and I hope that in time their services will meet with the recognition they deserve.

(1.2.) MR. KNOX: There is one question I wish to ask, and that is whether the Local Government Board is to be permitted to continue the policy of withholding public advertisements from Nationalist newspapers whose managers have violated the provisions of the Coercion Act. Is there to be no limit or is this boycotting to go on for ever?

MR. A. J. BALFOUR: The fact that newspaper managers have once broken the law need not ostracise them for all time. I shall be glad to consider whether the proprietors of any papers in connection with which the Crimes Act has been violated have expiated their offences to an extent that would justify Public Offices in advertising in those newspapers.

MR. FLYNN: This raises a very important question. We dispute the right of the Local Government Board to frame any such rule. Advertisements should be distributed in the interest of the public, not merely of the newspapers. I maintain the right of any newspaper managers to take up any line of action in regard to the Coercion Act, and it is no part of the consequences, or should not be, that they should be penalised by being deprived of official advertisements. The action of the Government in this matter is mean and vindictive. Advertisements relating to the public service ought to be inserted in all important newspapers, no matter what their politics may be. Yet, I know cases, as in the instance of advertisements relating to the water supply of Dun-

garvan, where advertisements have been withheld from the Nationalist newspaper circulating among nineteen-twentieths of the population, and have been given to two obscure Tory prints. The offence for which newspaper editors and proprietors have been punished has usually been publishing reports of so-called suppressed meetings, merely a technical breach of the law, and when you withhold advertisements from a widely circulated newspaper you injure the Public Service, defeat the very object of advertisement, and you provoke reprisal on the part of local bodies. The conduct of the Local Government Board in Ireland in boycotting Nationalist newspapers would justify Local Boards like the Cork Board of Guardians in treating Tory newspapers in a similar fashion.

(1.7.) MR. T. M. HEALY: I think we should do well in allowing the Government to take this and the next Vote. It is now past one o'clock, and I think the Government should be satisfied with the progress made. With regard to the point raised in reference to advertisements, I may observe that, whatever the Government may do or promise there will be no change in the policy of the Local Government Board with respect to advertisements until all the little Tories in Dublin Castle shall have been cleared out.

Vote agreed to.

5. £4,059, to complete the sum for the Public Record Office, Ireland.

Resolutions to be reported to-morrow.

Committee to sit again to-morrow.

SUPPLY—REPORT.

Resolutions [17th July] reported.

CIVIL SERVICE ESTIMATES, 1891-2.

CLASS II.

1. "That a sum, not exceeding £15,624, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

MR. T. M. HEALY: How about the debt due from the Duke of Fife?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have made inquiry into that matter, and I find it is a claim on the Duke of Fife which is not admitted by him, and it is in connection with what are known as fines on succession. I understand from the Office of Woods and Forests that the Duke has offered every assistance in his power to settle the matter, and to have a complete investigation, and he has prevented costly litigation thereby. I am bound to admit that a great deal of time has been allowed to pass, but I am afraid that the law is not more speedy in Scotland than elsewhere. Only two or three points are now unsettled and they have been referred to Counsel. The Crown has not been damnified by the delay, because if the claim be sustained interest at the rate of 4 per cent. a year will be paid on the debt during the time it has been outstanding. I am satisfied that the delay is due to no fault on the part of the Duke, but the claim involves the examination of a large number of deeds referring to different parts of the estate, and hence the delay.

Resolution agreed to.

Remaining Resolutions [see pages 1628-1670], agreed to.

AGRICULTURAL HOLDINGS BILL.

(No. 89.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC HEALTH (INTERMENTS) ACT (1879) AMENDMENT BILL.—(No. 206.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SCHOOLS FOR SCIENCE AND ART BILL [LORDS].

Read the first time; to be read a Second time upon Thursday, and to be printed. [Bill 425.]

House adjourned at twenty-five minutes after One o'clock.

HOUSE OF LORDS,

Tuesday, 21st July, 1891.

COMMISSION.

The following Bills received the Royal Assent:—

1. Law Agents and Notaries Public (Scotland).
2. Mail Ships.
3. Local Authorities (Scotland) Loans.
4. Allotments Rating Exemption.
5. Roads and Streets in Police Burghs (Scotland).
6. Bills of Sale Act (1890) Amendment.
7. Fisheries.
8. Stamp Duties.
9. Stamp Duties Management.
10. Consular Salaries and Fees.
11. Municipal Registration (Dublin and Belfast).

REPRESENTATIVE PEERS FOR IRELAND.

Lord Dunsany—Report made from the Lord Chancellor, that the right of John William Plunkett, Baron Dunsany, to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 203.)

Returned from the Commons with the amendments agreed to.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 108.)

Reported from the Standing Committee with amendments: The Report thereof to be received on Thursday next; and the Bill to be printed as amended. (No. 245.)

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 162.)

Reported from the Standing Committee without amendment: and to be read 3ª on Thursday next.

LAND REGISTRY (MIDDLESEX DEEDS) BILL.—[H.L.]—(No. 206.)

Reported from the Standing Committee, with amendments: The Report thereof to be received To-morrow; and Bill to be printed as amended. (No. 246.)

LUNACY BILL.—[H.L.]—(No. 216.)

Reported from the Standing Committee, with amendments: The Report thereof to be received To-morrow; and Bill to be printed as amended. (No. 247.)

COUNTY COUNCILS (ELECTIONS) BILL. (No. 222.)

Reported from the Standing Committee, with a further amendment: The Report of the amendments made in Committee of the Whole House and by the Standing Committee to be received on Thursday next; and Bill to be printed as amended. (No. 248.)

PENAL SERVITUDE BILL.—(No. 205.)

Reported from the Standing Committee, with an amendment: The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 249.)

MARKETS AND FAIRS (WEIGHING OF CATTLE) BILL.—(No. 243.)

Reported from the Standing Committee, without further amendment: The Report of the amendments made in Committee of the Whole House to be received on Thursday next.

CHARTERED ACCOUNTANTS BILL.—[H.L.]—(No. 230.)

Reported from the Standing Committee, without amendment; and to be read 3ª on Thursday next.

LOCAL GOVERNMENT BOARD PROVISIONAL ORDERS BILLS.

*LORD HENNIKER: My Lords, in moving the Resolution which is in my name, I think it right to remind your Lordships that these Bills are to confirm schemes with regard to labourers' dwellings, the compulsory purchase of land, and the extension of boroughs. It would cause very great inconvenience if these Bills, which are of great local importance, should stand over for

12 months. For various reasons it has not been practicable to introduce these Provisional Order Bills before. They form only a small proportion of the Provisional Orders prepared by the Local Government Board. These Orders come before the Local Government Board from time to time, and I must remind your Lordships that they have sometimes to be dealt with by the County Councils at their meetings, which do not take place very often, sometimes only once in three months. This must take up a considerable time, and questions also arise at a later stage of these Bills which require a great deal of correspondence, which adds to the pressure on the Department in the preparation of these Orders. Some of these Orders, I admit, might have been introduced somewhat sooner; but it was thought that it was desirable to include as many Orders as possible in the Bills, so as to reduce the number of Bills presented to the House. The same suspension of the Standing Orders was asked for in the House of Commons, and granted after full consideration by the Chairman of Committees there. I think I have shown your Lordships it is not always easy to bring in these Bills all at once. I think I have shown that there are all sorts of difficulties with regard to correspondence, and so on, as to these Provisional Orders, which come before the office almost from day to day. I know it is the desire of the President to bring these Provisional Order Bills in as much as possible at the same time, and as early in the Session as possible. Such a course would be more convenient to the Department and the House.

Moved—

"That the Sessional Order of the 5th of March last, 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday, the 26th day of June next,' be dispensed with, and that the Bills be read 2ª."—(The Lord Hartismere, [*L. Henniker*].)

THE EARL OF MORLEY: My Lords, the noble Lord asks that the Sessional Order should be suspended, and I do not propose to make any opposition to that Motion; but I must say that I do not think the noble Lord has really given any valid excuse why these Bills should have been introduced at so late a period of the Session. One of these Bills is at present opposed, and I would point out to the House how extremely inconvenient it is to have Bills of this character, some of them containing several Orders, brought in so late in the Session, when it is hardly possible to deal with them adequately. I think it would have been desirable if the noble Lord could have told the House that arrangements would be made in future years to obviate this inconvenience. He states very truly that there is a great deal of correspondence necessary before these Bills can be completed, but I would suggest to him that these difficulties could be met by enforcing earlier attention from the Local Bodies, to enable these Bills to be passed through Parliament in any given Session. I would venture to submit this to the noble Lord, and I hope that in future every effort will be made not to bring in these Bills at so late a period as they have been at present.

On Question, agreed to.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 209.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*EARL OF BELMORE: My Lords, before the House goes into Committee perhaps I may remind your Lordships that on the occasion of the Second Reading of this Bill there was an understanding come to, that in consequence of the late hour in which it came on, those noble Lords who wished to make some observations upon the Bill would be permitted to do so on going into Committee. In the few remarks that I wish to trouble your Lordships with, I do assure you that I have no intention of taking any line that could be open to be considered as aggressive as against the principle of this Bill, because it is one of very great importance, and it is one that we in Ireland who are connected with the land in that country have been looking forward to for certainly the last two years. This is, I believe, the third Session which this Bill has been before Parliament, although it is the first time that it has reached your Lordships' House. This Bill has one main object as stated in

the Memorandum which precedes it. Its first object is to provide a system—an inexpensive system of land registration for those tenant purchasers who, by the actions of the various Acts connected with land in Ireland during the last 10 years have been brought under the influence of the system of registration of deeds. Having purchased under these Acts a person who has been an occupier of a farm, whether he is a judicial tenant or a leaseholder, or merely a tenant from year to year under the old system, in which case he would have been outside the system of registration of deeds, now becomes owner in fee simple, subject to the repayment of his mortgage, and comes under the system. The registration of deeds, although a system that has, no doubt, been very valuable during the last two centuries, is connected with very considerable expense. There are fees to be paid, of course, and whenever you wish to make a transfer of land you have to make search back for a considerable period at considerable expense; and the great drawback which exists with regard to this registration of deeds is the fact that all those entries are kept in manuscript, and are only made in a single folio. The consequence is there is only one book, which contains the entries for a considerable period—a year or more—and it can only be in the hands of one person at a time, whereby very great delay is caused, until persons employed by solicitors engaged in the selling and purchase of estates can get their turn to search in some particular volume, that volume containing the registration of title perhaps of a great many estates. The Bill proposes to create a new system in regard to registration of title for the new purchasers. Under the Ashbourne Act and the other Irish Land Acts. Part of the system contemplates that there shall be a central office in Dublin, but another feature of it is that there shall be in every county a local register in connection with and subordinate to the Dublin Office, in which the documents relating to that county shall be registered after they have passed through the Land Purchase Court in Dublin. So much for the first object of the Bill, which speaks for itself; but there is another very important object connected with the Bill, and that is to enable the title of any person who likes—the noble and learned Lord below me will correct me if I am wrong—and who has made his title in the Land Purchase Commission, to have it registered under the new Act instead of under the old system of registration of title; and it is proposed for this purpose to amalgamate with it the Court created by the Record of Tithe Act of 1865. There is no doubt that that Court, which might have been an extremely useful one, has been taken very little advantage of, and it has been stated that the reasons are two-fold; one was the very high fees charged. It was said that the last Duke of Leinster before the late Duke, was desirous of registering the title to his great estates in Ireland, but was deterred by the very great expense which the payment of the Stamp Duties alone would have incurred. Another reason, and probably 25 years ago it may have operated to some extent, was the unwillingness of solicitors in Ireland to fall in with the new system which, of course, interfered with the old system of conveyancing. I do not know what the Treasury intend to do with regard to the fees, but I think as regards the second point, the system connected with the land in Ireland has so entirely changed during the past 25 years, that I, on my part, look forward, not for unwillingness on the part of the solicitors, but for their cordial acceptance of the new system. I had a letter recently from a gentleman who acted as my own solicitor at one time, but who now fills the position of Clerk of the Peace and Crown, and who is consequently one of those who will have *ex officio* to work this new system in the counties, and the general opinion he expressed was that the new system would destroy conveyancing. In a certain sense I believe that is the case, but the solicitors must live. They naturally would turn their attention, if the old system has been destroyed, to the new system, and will seek to make their business out of it. I could have wished that as regards the title of a vendor, the Court of the Land Commission should have put that title upon the new record compulsorily, in the same way that they will do the title of the purchaser. However, I am told, and I suppose it is the case, that that

could not be done in the present state of affairs; and in an Amendment, which I shall ask your Lordships to consider presently, I only go so far as to ask that instead of the vendor having to ask that his title may be put upon the record, the title shall be placed upon the record unless he formally objects to that being done. I need not follow a great deal that is in the memorandum of this Bill as regards a comparison with the state of affairs in England. All these matters have been very fully discussed in former years, and I need not take up your Lordships' time in further adverting to them at the present time, nor will I, at the present stage, go into the other matters connected with the officers who are to work the Bill. There will be some Amendments I believe moved presently with regard to them, but I am glad that your Lordships have allowed me to make these few remarks upon the general subject, and I hope my noble and learned Friend will, as I am sure he will, give a candid consideration to these Amendments which noble Lords will presently move, not in any hostile spirit but with the view of making the Bill work better than it is likely to do in its present form.

LORD HERSCHELL: My Lords, on the Second Reading of this Bill I troubled your Lordships with criticisms particularly on one part of it in regard to devolution in cases of intestacy. I have learned that this Bill, in the form in which it now comes before your Lordships, is the result of a compromise which was arrived at as the only chance of getting the Bill passed, and it was passed through the other House, although, undoubtedly a very complicated measure, without any considerable discussion, on the common understanding that it was a very important and urgent matter, and one which could only be passed this year if it was accepted in the form arranged on the responsibility of the Irish Department. Now, I entertain considerable objection to certain distinctions which are drawn in this Bill, and to certain of its provisions, but having regard to the circumstances under which it is passed, and to the possibility of passing it into law this Session only if the compromise arrived at is adhered to, I do not propose to trouble your Lordships with any attempt to amend it, or with any opposition to those distinctions, although I may regard them as unsound, and may think it very desirable to sweep them away. I accept the measure only in that way as coming before your Lordships on the responsibility of the Irish Department, and as having been accepted in the other House on that responsibility, and I do feel that it would be a matter of regret, if, owing to any action that were taken here, the commencement of an experiment of very great importance, and I trust of very considerable value, were delayed and not allowed to be commenced as is proposed very speedily. Taking that view, I feel, of course, that it would be impossible to propose any Amendments such as one would consider it right to propose if your Lordships' House were willing to, as it were, take the responsibility for a Bill of this magnitude and complexity. I think the Bill ought to be gone into very carefully in every one of its provisions, if possible, to put it into better shape, but that is impossible if the Bill is to pass this year; and having regard to the strong desire expressed in the other House that the Bill should pass into law this year, even if its shape be imperfect, I do not think it right in any way to attempt to thwart that desire; but at the same time it must not be understood that in assenting to it without further objection, one is to be taken as assenting to all the imperfections which it contains, or admitting that it is in the shape which would be most desirable. There is one other remark which I should like to make, because I think there has been some misapprehension with regard to this part of the Bill. My attention has been called to the provision under which in the case of registered land when once registered, no estate or title to it can be acquired except by an entry on the register. It has been suggested that may cause very considerable embarrassment and delay in the case of sales. It is said that neither the vendor nor the purchaser will trust the other, the one to pay the money until the registration is made, or the other to make the registration until the money is paid. I think a provision of that sort is absolutely essential, if you are to have a register at all. You cannot have absolute trust if at the same time you are to allow a title to land to be acquired

by means of entries outside the register. I think some provision is necessary also with regard to other portions of the Act. Charges for the purchase money being made by entry on the register, and in other ways, give really complete protection for the carrying out of transactions between vendors and purchasers without any unnecessary delay or risk to other parties. I think the fears which have been expressed as to matters to which I have called attention arise from persons not having sufficiently weighed the provisions in the other parts of the Act, and I have said what I have with a desire to quiet those apprehensions. Though there are other points to which I shall call attention as the Bill goes through Committee, I will not press the view I entertain further upon your Lordships.

*THE MARQUESS OF WATERFORD: I should like to say a few words upon this Bill, as it was read a second time at so late an hour after the Report stage of the Land Bill on July 10th, that I did not wish to detain your Lordships by discussing it then. As my noble Friend Lord Belmore has pointed out to your Lordships, all parties have been looking forward to a Bill of this kind in Ireland for some time. Everybody must agree that such a Bill is absolutely necessary. You have created, and are prepared to create, in Ireland under the Bill which has just passed your Lordships' House a very large number of freeholders. These men from their position, being naturally poor men, could not possibly be able to go to the expense of registering in the Registry of Deeds Office in Ireland such of their devolutions and transfers as are likely to take place. There is no question that in the future changes must take place and charges must be created, and the greatest possible confusion will ensue, because these poor proprietors could not possibly be expected to take advantage of the Registry of Deeds Office, which is certainly very expensive. As my noble Friend pointed out, there are several other points in which we consider this Bill requires amendment. I do not propose to deal with the point which has just been raised by the noble and learned Lord opposite. I shall leave it to my noble and learned Friend who is in charge of the Bill to deal with that, because it is a matter which he can deal with much better than I can, but there is one point to which I should like to refer which was alluded to in the early part of the noble and learned Lord's speech upon the Second Reading. I was very pleased to hear the noble and learned Lord object to Part IV. of this Bill. He then pointed out that you were changing the law of inheritance in Ireland, that in cases of intestacy the purchasers would be placed on a different footing as to the law of inheritance with all the landed proprietors alongside of them; that is to say, there would be two laws of inheritance in existence in Ireland; one in the case of purchasers under the Land Act by which primogeniture would be done away with, and the other in the case of ordinary landlords in which primogeniture would remain. I believe the noble and learned Lord (Lord Herschell) said on that occasion that he wished primogeniture could be done away with altogether. I do not know whether I understood him rightly, but I do not agree in that.

LORD HERSCHELL: I meant, of course, not in favour of doing away with it altogether; but what I suggested then was that it should apply to all registered land, and not only to so much as is purchased under the Land Purchase Acts. That is my view, but I am not going to press it.

*THE MARQUESS OF WATERFORD: I quite understand what the noble and learned Lord would wish, but I also understood him that he would like to see primogeniture done away with everywhere, and on that point I cannot pretend to agree with him. I quite admit that there are certain arguments which must weigh with everyone of your Lordships why the law of inheritance should be changed for these tenant purchasers, and particularly I would say this to noble Lords coming from Ireland who are acquainted with the customs of the peasantry of that country. I have had a long experience of Ireland, and know perfectly that farmers in Ireland will not make a will. I have tried myself to induce many farmers to make a will when I thought it was to their interest to do so, and they have answered me, "Does your Lordship think I wish to die." I am sure that they think that by making a will

they hasten their end; and I believe there are even people in this country who are so foolish as to imagine that is the case. But, at any rate, it is the fact that tenant farmers in Ireland will not make a will. Up to the present time the landlords in Ireland holding the land have prevented sub-division, and, therefore, wills have not been necessary with regard to the land, because the personal property has alone been divided under the farmer's will between the widow and children, and the land has devolved undivided to one successor. But, my Lords, you must remember you are changing all this. You are changing a tenant into an owner in fee by enabling him to purchase his property; and if he dies intestate, instead of his land being held together by his landlord preventing sub-division, everything is altered with regard to him; part of his estate is suddenly turned into real property; and if he dies intestate, his land must go to the heir-at-law. Well, that upsets the whole custom at present existing in Ireland. No doubt for 49 years the Land Commission will see that there is no sub-division, and that the land will go to one person; but as it forms part of the purchaser's property — as a part of his property will be real and part personal—it will cause the greatest confusion if, as I say, he dies and leaves no will. Part IV. of this Bill tries to deal with this great difficulty. The farmers, as I have said, will not know their position; they are accustomed to leave it to chance. They have not had the power of dividing their land before, and, therefore, they will leave it to chance in the future, not knowing that their heir-at-law must succeed to the land, as it has become real property. Part IV. attempts to deal with this; but, as I am going to point out to your Lordships, I think it will create very great and serious dangers in the future. One of the dangers is that which the noble and learned Lord (Lord Herschell) pointed out to your Lordships the other night, although I regret that he has now withdrawn his opposition to that part of the Bill. The effect is, that you will have two laws of inheritance in Ireland with regard to registered property in land lying side by side. Then, secondly, at the end of 49 years you are going to create by law the very thing which you most wish to avoid —that is, the sub-division of land in Ireland. I have been always afraid of what may take place at the end of 49 years. As many of your Lordships are aware, the inclination of the farmers in Ireland is to sub-divide their holdings among their children, and I have always been afraid that sub-division, which is of the greatest possible injury to the country, may take place; but now, by a clause in the Bill, which your Lordships are asked to pass through the Committee stage to-night, you are going to oblige sub-division by law in every case of intestacy. Well, as law and custom will then run side by side, I believe you will have Ireland cut up, sub-divided, and re-sub-divided into infinitesimal holdings. It was only the other night that you passed a Bill through this House called the Congested Districts Bill—which is a part of the Purchase Bill—to do away with this very difficulty which you are going to create. By Part IV. of this Bill you are going to create by law one of the things you have passed a Bill through your Lordships' House in order to avoid, and I think it is a most serious matter. I think your Lordships ought seriously to consider it. I may say at present there is no Amendment put down to that part of the Bill; but I do think your Lordships ought most seriously to consider the terrible effect this will have on the future of Ireland—in 49 years' time. I do not suppose it will affect many of your Lordships; but, at the same time, we must look forward to what will happen in Ireland in the future, and I do think your Lordships will agree with me that by encouraging sub-division you are doing the greatest harm you can possibly do to the country. I might point out to your Lordships that in Germany and Austria, as I am told, there has been an inducement held out for the sub-division of land for many years past. Well, in those countries it has been found to be so injurious, so destructive to the interests of those countries, that measures have been passed to try and do away with it; and I think it would be well to consider, before you pass this portion of the Bill, whether, taking it altogether, the law of inheritance with regard to this land should not be retained, as it is leaving

the tenants the option, if they please, to divide by will in 49 years, but not obliging the division to take place in cases of intestacy. I think it would be well to consider whether it would not be better that the Land Commission should be directed to tell every purchaser, in cases of sale, to look to his actual position, and to warn him that if he dies intestate his land will go to his heir-at-law undivided. They will then be able to act for themselves, and if they choose to do so, make wills; and if they do not make wills it would be for the benefit of the country. Some Amendments have been put down to this Bill which I hope Her Majesty's Government will see their way to accept. We have tried, as far as possible, to limit these Amendments to important points in the Bill in which we are very much interested. In the first place, we think it is a great misfortune that the officer who is Registrar in the Land Court and principal of the Record of Title Office should be named in this Bill as the Registrar of Title. It may be stated by my noble and learned Friend that that officer is able and energetic—as, indeed, I hear from all parties he is—and that he has not got a sufficient amount of work to do at the present time; but I would point out to your Lordships that he will have a great deal of work to do under the Bill, which I hope may come up from another place very soon. There were 3,000 or 4,000 properties in the Encumbered Estates Court. Most of those properties will now be sold under the Purchase of Land Act, and that will throw a tremendous quantity of work upon this officer. I think it is a great misfortune that all these different offices should be held by one man. This is a very important Bill. We look forward with the greatest hope to its working properly, and we do not wish to see it in any way crippled at its birth. If a gentleman has a great deal more than he can do in one Department—and this is not only one, but several—I do not see how he can properly give his time and attention to the working of such a Bill as this when it becomes an Act. Then I would point out another objection: I believe that the present Land Commission Court is some way off from the Registry of Deeds Office—more than a mile; and I think it would be most important that those two offices, which must have continual reference to each other, should be separated by a mile and more. There are several other points, which I do not propose to trouble your Lordships with at this moment, which render it more than necessary that the official who is named in the Bill should not have the working of this important measure which is now before your Lordships' House. There are other Amendments that I would briefly refer to. We consider the County Court is not a proper Court for a Court of Appeal. There are no proper books of reference kept in that Court, and local solicitors are not generally able to argue the intricate questions of law which must naturally arise in proving title. We think it is absolutely essential that for such questions as will arise upon appeal on such an important subject the High Court in Ireland should be the Court referred to. That is the only proper Court to decide such important points. Again, we consider that Clauses 22 and 25 are defective in their wording; but I believe the noble and learned Lord has put down some Amendments to those clauses, which, to a certain extent. meet our objections.

*THE LORD CHANCELLOR OF IRELAND: Altogether, I think.

*THE MARQUESS OF WATERFORD: The noble and learned Lord says altogether, but I can assure him they do not altogether meet our objections. We have several other objections to these clauses, which at the proper time will be brought before your Lordships. One of those is that we object to three interests in land being registered, each in different forms. I will not trouble your Lordships with it now; the proper time for it will be in Committee. Then there is another point which I might mention. There is a clause which I think is taken from the Bill of the noble and learned Lord on the Woolsack (the Lord Chancellor). That was a Bill which enables mortgagees and encumbrancers to lodge cautions and notices. That was an excellent thing in the noble and learned Lord's Transfer Bill, but it is absolutely unnecessary in this Bill, because there is the Registry of Deeds Office in Ireland, which I am told does not exist in England. Therefore, when the title is to be proved, re-

ference must be made in each case to the Registry of Deeds Office, and as no encumbrance is in position in Ireland unless it is registered in that office, what is the necessity of swamping this Bill by giving the power to those mortgagees and encumbrancers of lodging these notices? Naturally, what the solicitors will say will be—"Oh, lodge notices; at any rate, it can do no harm, and it will put you right if anything turns up." That will swamp the Bill and render it unworkable. I am sure my noble and learned Friend will agree to this Amendment, because when we proposed an Amendment in the Land Purchase Bill of putting in something to this effect he was strongly against it. In consequence of the noble and learned Lord's objections to that Amendment we withdrew it. This is called the Local Registration of Title Bill, and we believe it is necessary that sales should be locally registered with regard to the small farms; but I think in cases of sales which have taken place up to this time, and which go back, perhaps, to the Act of 1869, it would be absolutely impossible for the Clerks of the Peace and Crown in the different districts to investigate the register for all the 20,000 odd titles which will come upon them at once for the purpose of registration. Therefore, my Lords, we have put down an Amendment which will, at any rate, necessitate that those 20,000 titles should be registered in the Central Office. There is another point upon a most extraordinary clause—I think it is Clause 61—in which it is proposed that the most intricate questions of law should be referred to this Clerk of the Peace and Crown, who is not generally a man who could take charge of an extraordinarily difficult legal question. It is proposed that when two persons apply to the Registrar for the same piece of land the Clerk of the Peace and Crown is to adjudicate upon it. Of course, there is an appeal from him; but we maintain that upon such an important point as that, a point that is generally settled by the highest tribunal in the land, the High Court, or, at any rate, the Central Authority, should decide it. We do not believe the Clerk of the Peace and Crown—and they do not believe themselves—capable of dealing with the very important problems which will arise under this Bill. There are several other Amendments, but I will not detain your Lordships with them now. I only hope my noble and learned Friend will deal kindly with us in regard to them in Committee.

*THE LORD CHANCELLOR OF IRELAND: My Lords, I only desire to say in reference to the short discussion which has now taken place that when we proceed to consider the clauses, of course I will pay every deference and respect to Amendments moved and to the arguments advanced in support of them. I have been very carefully considering the Amendments which noble Lords have placed on the Paper, and it may be sufficient for me to say that in reference to the Amendments which the noble Lord who opened the discussion, and the noble Marquess who has just sat down, have mentioned they will receive every attention. With regard to what the noble and learned Lord (Lord Herchell) has said, I quite understand the attitude he takes, and which he very fairly and temperately sketched in the few remarks he made. It would not be reasonable to expect him to guarantee the perfection of so long and complicated a measure as this. To a certain extent, as a Bill dealing for the first time with a very important topic, it may be regarded, to use his words, as experimental. My noble Friends from Ireland have gone into this Bill very carefully. It has been for a long time subjected to an acute criticism, and many of its clauses correspond with, or are similar to, clauses in the Bill which was introduced by my noble and learned Friend on the Woolsack, which went before a very strong Committee, on which the noble and learned Lord himself sat, and on which the noble and learned Lords (the Earl of Selborne and Lord Herschell) also sat. That was a very powerful Committee which went very closely into those and other clauses. They have been specially examined over and over again by those who are most conversant with the subject, and also by my right hon. and learned Friend the Attorney General for Ireland, who has made this matter his particular study all through his professional life, and who, as I said in moving the Second Reading of the Bill, may be regarded as

the greatest authority on the subject in Ireland.

On Question, agreed to.

House in Committee accordingly.

Clauses 1 to 3 agreed to.

Clause 4.

LORD MONTEAGLE OF BRANDON: My Lords, the Amendment of which I have given notice on this clause may be very briefly explained. In fact, I think it explains itself. The clause defines the persons who are to act as officers of the Court, and the sub-section in question, Sub-section 5, deals with the local registry, and prescribes that the officers are to be the Clerks of the Crown and Peace for the counties. It provides—

("But if such person is not, in the opinion of the Lord Chancellor and the Treasury, qualified for the duties of the office, then such office shall be under the management and control of such other person being a solicitor as shall be appointed by the Lord Chancellor for that purpose.")

I move to insert after the word "solicitor," the words "or barrister." My object is simply to ensure that the best man for this important office should be appointed. It is quite possible that at some future time, if not now, there might be a barrister in the locality who might be well qualified for the office, and I hope the noble and learned Lord will see that there is no reason for excluding barristers from this office. I have no objection, of course, to a solicitor being appointed if he is the best man; but my point is that a barrister might be better fitted for the office, and for that reason I move to insert those words.

Amendment moved, in page 2, line 14, after ("solicitor") to insert ("or barrister.")—(*The Lord Monteagle of Brandon.*)

*THE LORD CHANCELLOR OF IRELAND: I am sorry I cannot accept this Amendment. It would be about one of the most contentious Amendments which could be sent back to the other House. All these topics were threshed out *ad nauseum* when the County Court and Officers Act, 1877, for which I was largely responsible, was passed. It was then framed distinctly on the lines that only a solicitor should fill the office, and we must, I think, keep to the same lines here in the event of a deputy being appointed to fill an office under the Bill. The question will seldom arise; amalgamation has taken place in a great many counties in Ireland; in many places where it has not taken place the gentlemen are qualified, and in the few cases in which this power has to be exercised it would, I think, be invidious to vary the qualifications laid down for the united offices.

LORD MONTEAGLE OF BRANDON: I do not wish to raise anything that would be contentious or would cause difficulty in the other House. Of course, I accept what the noble and learned Lord has stated, that it would be departing from the principle laid down in the previous Act of Parliament.

Amendment (by leave of the Committee) withdrawn.

Clause 4 agreed to.

Clause 5.

*THE MARQUESS OF WATERFORD: My Lords, I have an Amendment down for this clause. I touched upon this Amendment in the few words I said before we went into Committee. The Amendment is with the view of not having the principal officer who is named in the Bill. The Record of Title Office is an office which has not worked very well, I believe, but this is for the purpose of providing that this particular officer shall not of necessity have the working of this Bill. It does not at all exclude him or prevent the Government appointing anybody they like, but I think it is not of necessity that he should be named as having the working of this Bill under this Act if it becomes law. I beg, therefore, to move the Amendment that is down in my name.

Amendment moved, in page 2, line 28, after ("office") to insert ("with the exception of the officer who has heretofore acted as principal officer in such office.")—(The Lord Tyrone [*M. Waterford*].)

*THE LORD CHANCELLOR OF IRELAND: I hope the noble Marquess will not press this Amendment. I can only say, if I were asked to make the appointment—if the appointment was in myself, as the strongest way of putting it—I would feel myself very fortunate if I could induce an officer of the standing of Mr. M'Donnell to accept this post. He

is at present the highest official of the Landed Estates Court, and has been there for a great many years, and he is about one of the ablest officials in Ireland. If you went through the whole country you could not get as able a man for the purpose, one with richer or greater experience or with greater mastery of the subject. He is at present in a highly paid office, and is willing to undertake the duties, and it would be unreasonable and unbecoming to say you want to give a wider choice to the Executive. I repeat that if the patronage was in myself, and I were desirous of finding the best man I could obtain for doing this work in the best way, I should be proud and gratified to think I could secure the services of an official so able, so loyal, so energetic as Mr. M'Donnell. I hope the noble Lord will, in that state of things, think the Amendment is not desirable.

*VISCOUNT DE VESCI: I must confess I think the noble and learned Lord's answer is hardly satisfactory.

*THE LORD CHANCELLOR OF IRELAND: In what way?

*VISCOUNT DE VESCI: I am going to state. The noble Marquess pointed out, in the few words he spoke before going into Committee, that a great amount of work has to be done by this officer—not only the work with regard to this registering, but that there will be 20,000 cases under the Purchase Acts which will have to pass through his hands. There will, therefore, be an enormous amount of work at the commencement, and, besides that, there will probably be a large number of voluntary registrations. I should not wish to say a word against the present holder of the office. I believe he is one of the best public officers in Ireland, but I hardly believe that he will be able to do all this work. I hope, therefore, the noble and learned Lord will re-consider it.

*THE LORD CHANCELLOR OF IRELAND: I cannot say that I will reconsider it, because I know he is thoroughly master of the subject. I know the man, and I know the work, and I say it would be impossible to find through the whole of Ireland a man who can bring to the performance of these duties skill, and willingness, and ability, to a higher degree than Mr. M'Donnell. I cannot do it, and nobody else can, and I think it is unreasonable we should take the power of an alternative appointment when we have a perfectly able officer willing to perform the duties.

*THE MARQUESS OF WATERFORD: My Lords, the noble and learned Lord has told you what an able official the gentleman who is named in this Bill is. I do not gainsay that at all. The only objection that we take to the appointment is that we consider this gentleman will not be able to give sufficient time to the working of this important Bill, and that the appointment will strangle the Bill at its birth. We are so much in favour of this Bill that we are most loth to allow anything to come into the way of its really efficient operation. I would like to ask the noble and learned Lord one question—whether the principal of the Record Title Office comes under the Civil Service Rules? Then I would draw your Lordships' attention to the noble and learned Lord's (Lord Ashbourne's) statement that he would appoint this gentleman if he had the whole of Ireland open to him. I think it is very hard upon the Civil servants in Ireland. I have come across a great number of them, who are protesting most strongly against the rule that they are to be retired when they are 65 years of age. I know many of them who are perfectly able to perform their duties at present; but they are removed at the age of 65, and therefore I believe that if this gentleman is appointed, or if the noble and learned Lord would do as he says he would—that is, appoint a gentleman of the age of the present Registrar—he would be doing a thing which would upset the whole Civil Service of Ireland. I am not aware of what the actual age of the Registrar is, but I believe he would come under these Civil Service Rules; and I would ask the noble and learned Lord whether he would not consider this fair, that he should agree upon Report to put something into this Bill to the effect that the Civil Service Rules should apply to the officer who has to work this Bill? If the noble Lord will do that I will at once withdraw my Amendment. But I do think the rule is very hard upon the officers in the Civil Service. I do not understand the reason, but very able men

are very often retired when there can be no doubt they have many more years' work in them, and I think, under the circumstances, for Her Majesty's Government to go out of their way to appoint a man of the age of the Registrar is a rather extraordinary thing to do.

*THE LORD CHANCELLOR OF IRELAND: Her Majesty's Government would be going out of their way if, having a highly paid, highly trained, able, and willing officer who has performed the duties so long, they passed him by to find out somebody else, I do not know who, and create a brand-new office for him with a great big salary. The gentleman there now, Mr. M'Donnell, is performing the very duties which are cognate with the duties to be performed under the Bill; and under the provisions in the Bill there is a power given to the Lord Chancellor of the day, myself, with the sanction of the Treasury, if the work prove too heavy, to appoint gentlemen to assist him in the performance of these duties. I have nothing to say about the working of the Civil Service, but I can say that anyone who saw Mr. M'Donnell and myself would say I was the older man of the two; and I am thankful to say I think I am very far from being incapacitated yet.

THE DUKE OF ABERCORN: I would ask the noble and learned Lord whether the gentleman in question will receive this appointment for life?

*THE LORD CHANCELLOR OF IRELAND: He will receive it for the same tenure as that on which he holds his present office. I can assure the noble Duke I do not think Mr. M'Donnell cares, one way or the other, about the continuance of his tenure of office; he is not a gentleman pressed by circumstances in the slightest degree; he is very fond of the work he has been engaged in, and he will hold his new office under exactly the same tenure as he holds his present one. I should say myself, if he has any sense, he will retire in due time, so as to leave himself a little interval of rest before the inevitable comes upon him.

Amendment negatived.

*THE MARQUESS OF WATERFORD: Then the next Amendment which stands in my name is really more or less consequential, but I would ask my noble and learned Friend this: I will withdraw my Amendment if he will allow me to ask him whether he will accept this Amendment in lieu of it, which is in page 3—that is, to put in "ten" instead of "six." We consider the appointment should be of a barrister or solicitor of at least 10 years' standing. The other point is that I would move to leave out from "standing" to the end of the paragraph, because I think it is a great misfortune that a Land Judge should have the power of appointing anybody who was not a lawyer at all, as it seems to me. It is most important that the men who should be appointed to this office should be the best lawyers, and I therefore suggest that these three lines at the end of the clause should be left out which empower the Land Judge to appoint any man who has been five years in his office. Although the noble and learned Lord thought my first Amendment unreasonable, I think he will consider this is most reasonable.

Amendment moved,

In page 2, line 41, to leave out sub-clause (2) and insert —("(2) The Registrar of Titles shall be a barrister or solicitor of not less than ten years' standing, and shall be appointed by the Lords Commissioners of the Treasury.")—(The Lord Tyrone [*M. Waterford*].)

*THE LORD CHANCELLOR OF IRELAND: The noble Marquess has no doubt some reason in his mind, of which I have no knowledge, as to the patronage of this office, but I am most anxious to meet him, if possible, and I will meet him half way, as they do at the Irish fairs. I will put in "eight" years in each place, but you must leave it to the head of the Department, who is the man best able to exercise the responsibility. If it will satisfy the noble Marquess I will put in eight years.

*THE MARQUESS OF WATERFORD: I would be quite content to accept eight years in the first place, but will the noble and learned Lord agree to leave out the words—

("Or such officer being attached to the office of the Land Judge for a period of at least five years as the Land Judge shall from time to time appoint.")

I object to the Land Judge appointing anybody he may think fit. I think the noble Lord mistook me before, because I do not mean to object to anybody. I only object to the Land Judge ap-

pointing a Registrar of Titles who is not a lawyer. This clause does not prescribe that he should be a lawyer at all.

Amendment moved to the proposed Amendment, to leave out the word ("ten") and insert ("eight.")—(The Lord Tyrone [*M. Waterford*].)

*THE LORD CHANCELLOR OF IRELAND: As I understand, the second Amendment of the noble Marquess seeks to take away the patronage from the Land Judge, who is the head of the Department, and to give it to nobody else. All I can say is that when the patronage in this Department was talked of, I suggested myself that it should not be in the Lord Chancellor, because the Lord Chancellor would, in any case, at once apply to the head of the Department, who is responsible for the rules and everything else; and the patronage was then rightly put in the Judge, who is the head of the Department, who must revise everything, and who is answerable for the whole discipline. I cannot accept any Amendment which will substitute the Lords of the Treasury, or any other authority, for the Land Judge, who is given discretion in respect of the Department of which he is the head. I have put in the word "eight" years' standing.

*THE MARQUESS OF WATERFORD: Will you also put in "shall be a barrister"?

*THE LORD CHANCELLOR OF IRELAND: I do not object to that.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6.

LORD MONTEAGLE OF BRANDON: My Lords, I had an Amendment to leave out Sub-section 4, but I do not desire to move it.

Clauses 6 to 12 agreed to.

*THE MARQUESS OF WATERFORD: Now, my Lords, I move a new clause, to come in after Clause 12, providing that all titles shall be originally registered in the Central Office. This Amendment is in view of having these 20,000 titles registered, and that they shall be originally registered in the Central Office. I move the Amendment as a new clause,

The Marquess of Waterford

"Provided that all titles shall be originally registered in the central office."

Clause 13.

*THE EARL OF BELMORE: My Lords, I have an Amendment in Clause 13, but I think my noble and learned Friend has one before me. That must be so, because my Amendment is to omit the sub-section, and you must amend a clause before you move to omit it.

*THE LORD CHANCELLOR OF IRELAND: Mine are mainly drafting Amendments.

Verbal Amendments made.

*THE EARL OF BELMORE: Now, my Lords, I move to leave out the first sub-section of Clause 13 for the purpose of inserting another one, the object being to make the appeal, not to the County Court, but to the High Court. The County Court, for many reasons, would not be a good Court of Appeal; but there is one reason which seems to me to be very strong indeed, if not unanswerable, that is that it only meets three or four times in the year for a few days at a time. I hope the noble and learned Lord, therefore, will be able to accept this Amendment either as it stands; or if he thought that a question of fact would be better tried in the country, where the witnesses might be, I should be willing to allow a matter of fact to be remitted to the County Court instead of bringing the witnesses up to Dublin; my noble and learned Friend might suggest that Amendment afterwards.

Amendment moved, in Clause 1, page 6, line 5, to leave out sub-section (1.) and substitute as follows:—

("The High Court of Justice in Ireland shall have jurisdiction for the purposes of this Act, and the expression 'the Court' or 'the High Court' shall have that meaning.")—(*The Earl of Belmore.*)

*THE LORD CHANCELLOR OF IRELAND: I have considered the Amendment of my noble Friend, with every desire to meet it as far as I could. The Amendment which I have just made is more or less drafting; but, on the other hand, there is a great deal in what the noble Lord says, because there must be rules prescribing what is to be done, and great care will have to be taken to see that nothing goes to the County Court, except what would be suitable considering the time of the year. As the noble

Lord has pointed out, they only sit four times in the year, and great care will have to be taken to save the time of suitors. It is all to be prescribed by rules; and I would also point out that there is an Amendment in my name upon Sub-section 3 of a later clause.

*THE EARL OF BELMORE: I withdraw my Amendment after what the noble Lord has said.

Amendment (by leave of the Committee) withdrawn.

Clause 13 agreed to.

Clause 14.

*VISCOUNT DE VESCI: With your Lordships' permission I will move all the Amendments which stand in this clause in my name, as they all practically hang together. The main object of them is to provide that any person aggrieved by any decision of the local registration authority may apply to the central authority, and in the same way persons aggrieved by decisions of the central registration authority, either in the first instance or on appeal, may apply to the Court as provided in Clause B. I think we may fairly assume, and we have tried to insist upon it in most of our Amendments, that the person holding office as the central authority should be a person who is thoroughly competent to decide by himself all the questions of law and fact which may be brought before him, without reference to the Superior Court, leaving it only for the persons aggrieved to take what steps they think proper, as provided in the Amendment. I think there is some little difficulty, but if the noble and learned Lord will accept the Amendment as I propose it, some alteration may have to be made in the Report stage in order to meet the objection which has been pointed out by my noble friend the Earl of Belmore with regard to the County Courts; but the main object of my Amendment is to make the appeal from the county authority to the central authority, and from the central authority to the Court.

Amendment moved, in page 6, line 22, leave out ("a") and insert ("the central"); line 26, after ("the") insert ("central"); line 27, leave out Sub-clauses (2.) and (3.), and to substitute as follows:—

("Any person aggrieved by an order or decision of a local registering authority, may appeal to the central registering authority, in the prescribed manner and under the prescribed conditions, and the central registering authority may annul or confirm, with or without modification, such order or decision.")—(The Lord de Vesci [*V. De Vesci.*])

*THE LORD CHANCELLOR OF IRELAND: I can quite understand the object which the noble Lord has in view, but this has to be read in connection with the Amendment moved by my noble Friend the Earl of Belmore, which sought to interfere with the jurisdiction of the County Court Judge. I do not think it would be expedient and desirable to do what the noble Lord who has moved this Amendment now proposes to do, that is to make the appellate tribunal the central registry officer. I think it is better and wiser to leave it as it is in Sub-section 1 of Clause 14, that is to leave it to the highest body having the highest jurisdiction, that that shall be the authority unless the rules prescribe that in a certain limited number of cases, and at convenient times, it is desirable to adopt another course. This matter has been considered carefully both before and since these Amendments were put on the Paper; the Amendments which I have put down, and that which has just been moved, go as far as I think it would be wise to go in trying to meet the objections taken. I do not see any necessity why the appeal should not go straight from the county official as proposed. Surely any question upon which it was necessary to hear evidence, might be referred back to the County Court by the High Court, all these things can be done by rules. At present the appeals are to be taken to the High Court, and the rules provide that any questions which may be investigated cheaply, and on the spot where the County Court is sitting may be investigated by them, I think it will be found the cheapest and best system, is that provided in the Bill as I have amended it.

*VISCOUNT DE VESCI: Then I move the first Amendment. I do not think the noble Lord will have any objection to that; that is to say, in line 22 to leave out "a" and insert "the central." That will enable them to appeal to the Court.

*THE LORD CHANCELLOR OF IRELAND: My noble Friend does not, I think, realise the whole scheme, because his Amendment would leave out in the cold without appeal the network of local registers throughout the country. There must be something done to provide for them. The very essence of this Bill is to provide a local registry in each county, and if you only provide, as suggested, you may leave the local officers as free as air.

Amendment negatived.

*VISCOUNT DE VESCI: I withdraw the other Amendments.

Amendments (by leave of the Committee) withdrawn.

*THE LORD CHANCELLOR OF IRELAND: The next Amendment is one which I mentioned to my noble Friend the Earl of Belmore in reference to these objections; it is to omit Subsection 3 altogether on page 6.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 18 agreed to.

Clauses 19, 20, and 21 agreed to, with verbal Amendments.

Clause 22.

Verbal Amendments made.

LORD MONTEAGLE OF BRANDON: My Lords, the object of this Amendment is to make all first registrations which are compulsory under the Bill free as well as compulsory. By the next succeeding clause in the Bill, Clause 23, arrangements are made for giving the Land Commission power to step in and call upon the registering authority to register by Sub-section A, where the sale has taken place before the commencement of the Act, and by Subsection B after the commencement of the Act. The second sub-section of Clause 22 only makes the registration free in cases where sales have taken place before the commencement of this Act or within one year after the commencement of this Act. Now, I think it will be obvious to the House that the Bill would work much more smoothly if all first registrations were made free. I do not see that there can be any distinction drawn which is based on any very cogent principle, why those who are compelled to register after this Act should not have the same benefit. It is rather a strong measure, as has been suggested with regard to these questions in England, to compel people to register, and there is no doubt that it would make the Act work more satisfactorily to allow free registration. I hope the noble Lord will see his way to accept the Amendment.

Amendment moved, in page 10, line 12, before ("registration") to insert ("first.") — (*The Lord Monteagle of Brandon.*)

LORD HERSCHELL: I certainly think there is a great deal to be said for the Amendment which has been proposed by the noble Lord. As the Bill at present stands, all those who purchase under the Land Purchase Acts and who apply for registration within a year have that registration without cost to them. Of course that applies to all who have already purchased under the Land Purchase Acts, or who can get their purchases through within the next year, but any persons who purchase under the Land Purchase Acts, and who do not get those purchases completed within the next year (and of course there will be many if this Bill is taken advantage of) will have to pay on registration. I do not see why any distinction should be made between those who have come in within a year and those coming in afterwards. We know there is a question about their getting the registration fee, but it does occur to me that having in view the successful working of the Land Purchase Bill, which is passing through this Session, it will not tend to the successful working of that Bill if you enforce compulsory registration upon all those who register, and do not register free. One result, of course, of their purchasing under that Bill will be that they will have to incur an expense on that registration. I should have thought it would have been a wiser thing as a matter of policy to have made all these compulsory first registrations free.

*THE LORD CHANCELLOR OF IRELAND: I have a good deal of sympathy with what has fallen from my noble Friend opposite, and from the noble Lord who has just spoken, and if

there was no such thing as a Treasury there might be little difficulty, but I am afraid this is hardly within our competence. Clause 8 points out the fees which are to be paid, their limits, and that they are never to do more than pay the expense of the transaction, and so on. But I am afraid if we were to yield to this sympathetic appeal it would make a tremendously big hole in the returns at first. I am afraid it is outside our province, and a great deal would have to be said about it elsewhere, and I do not think the topic open to us in this House.

LORD HERSCHELL: I confess, with all my desire to see it, I should be far from suggesting that, and I cannot on that ground press it.

Amendment (by leave of the Committee) withdrawn.

Verbal Amendments made.

THE DUKE OF ABERCORN: My next Amendments on this clause are merely consequential, and I withdraw them; but I have an Amendment in line 21 which is the same as the new clause proposed by my noble Friend the Marquess of Waterford. The object is to expedite the working of this Bill when it becomes an Act by making the compulsory registrations to be effected by the Central Office instead of the local offices. I shall, therefore, withdraw that Amendment in favour of the clause moved by my noble Friend.

Clause 22 agreed to.

Clause 23 agreed to, with verbal Amendments.

Clause 24.

*THE EARL OF BELMORE: My Lords, I have an Amendment on Clause 24. There are two Amendments on the Paper in reality, although they are printed as if they hung together. I think there is some mistake about that. The second one is rather an alternative Amendment in case the first one should not be carried out. The object of the first Amendment is to do what I alluded to in my opening remarks, and that is to change the presumption in this way, that instead of the purchaser being called upon to request that his title may be registered, the presumption shall be reversed, and that, unless he objects, the Court should issue a certificate and put him upon the register. I will not touch upon the second Amendment until I know the fate of the first. If the noble Lord objects to the first, then the second one would come in suitably, I think, as a sub-section to the clause. I, therefore, move the first Amendment.

Amendment moved, to leave out lines 18 to 22, and insert—

("And shall, unless the vendor lodges an objection thereto in writing, cause a certificate of the title to such last-mentioned land to be forthwith registered in the central office.")—(*The Earl of Belmore.*)

*THE LORD CHANCELLOR OF IRELAND: I will accept the second Amendment on the Paper.

*THE EARL OF BELMORE: Under those circumstances I will withdraw this Amendment, and move a second, to add a new sub-section to the clause.

Amendment (by leave of the Committee) withdrawn.

Amendment moved, after line 22, to add as a new sub-section—

"(2.) In any case in which land has been sold to a tenant through the Land Commission, and the title to other land held under a common title has been investigated at the same time by the Land Commission, it shall be lawful for the vendor or his successor in title to apply to the Land Commission to issue to him a certificate in the prescribed form of the title of the vendor to such last-mentioned land, and if the Land Commission are of opinion that such title has been sufficiently investigated, they may, if they think fit, issue such a certificate, and such certificate shall have the same effect in all respects as a certificate issued under the preceding sub-section."—(*The Earl of Belmore.*)

Amendment agreed to.

Clause 24, as amended, agreed to.

Clause 25.

*The EARL OF BELMORE: My Lords, I have Amendments on this clause, but I think they have been, to some extent, dealt with by what has been done already.

Amendment moved, in line 24, to leave out ("transfer of") and insert ("title to"); in line 26, to leave out sub-section (1.) and insert—

"(1.) Every instrument presented for registration shall be registered in the order, and as from the time at which the same is produced for that purpose, and instruments purporting to affect the same estate or interest, shall,

notwithstanding any actual or constructive notice, be entitled to priority as between themselves according to the date of registration, and not according to the date of the instrument. No instrument, until registered in the prescribed manner, shall be effectual to pass any estate or interest in any land subject to the operation of this Act, or to render such land liable to any mortgage or charge."—(*The Earl of Belmore.*)

*THE LORD CHANCELLOR OF IRELAND: I may say this Amendment is with regard to something that has got in by mistake in drafting. It does not read in with the rest of the Act, and that I am sure accounts for the Amendment which was put down by my noble Friend, but when they have been struck out, I think my noble Friend will see that the Amendment he has proposed does not read in, and I hope, therefore, he will not move it.

*THE MARQUESS OF WATERFORD: I really should like the noble and learned Lord to re-consider this, because it appears to me that, if the words are left out, the land to be voluntarily registered will be cut out from the operation of this Bill. The clause runs at present—

"The following provisions shall apply to the registered freehold land, and all freehold land, the registration of which by this Act is declared to be compulsory."

Why you are to leave it in this way I cannot understand. It applies to all registered freehold land. The words to be left in only apply to land to be registered by tenants compulsorily in future, but what is to happen to the many cases in which the landlords will have voluntarily registered their land? Are they to be cut out from the advantages of this Bill?

*THE LORD CHANCELLOR OF IRELAND: I am not in the least surprised at the noble Lord putting it, because I went through it very fully, and my right hon. and learned Friend the Attorney General, who is answerable for this clause, went through it particularly, and it was discovered that by some accident in drafting these words had got in. I may tell the noble Lord that this particular clause is taken from the Land Transfer Bill. It is there put in as a kind of mild pressure, as much pressure as could be put on without undue harshness to induce people to register who should register. As your Lordships have seen, by reference to Clause 22, the earlier provisions relate to compulsory registration, and if the noble Lord will look at Clauses 25 and 40 he will see that adequate provision is there made with reference to registration generally. Those words would not be in form, and I think this matter will be right when they go out, and the word "title" is substituted for "transfer." The clause will then read in with the rest of the Bill.

*THE EARL OF BELMORE: As the noble Lord has referred to my Amendment, which he said would not have been necessary if his Amendment had been previously made, I may explain this; It is a legal matter I do not profess to understand myself, but I was advised that something of this sort was necessary; and for this reason. The Bill deals in three different ways with three sorts of property. As regards estates in possession and the conveyance thereof it provides that no estate shall be acquired until registration, but that then the title shall relate back to the date of conveyance. That is one thing. Then in Clause 40 the Bill provides that as regards charges and encumbrances no estate shall be acquired until registration, but there is no relation back. That is different to the other case; and then in the third case, as regards conconveyances of remainders it says nothing at all. The result is that the points are left undetermined, and the Bill in that clause is defective. That is the reason of my Amendment.

*THE LORD CHANCELLOR OF IRELAND: With the words in I quite understand the noble Lord's Amendment.

*THE MARQUESS OF WATERFORD: It is a technical Amendment; but why should these people who have registered before this Bill, and voluntarily, be cut out from the advantages of this clause?

*THE LORD CHANCELLOR OF IRELAND: They are fully dealt with in other clauses. If my noble Friend will read it closely he will see it is essentially a most technical thing; but I have had it examined with the greatest attention, and have investigated its whole history. They are not in the Land Transfer Bill, and ample protection is given in reference to all voluntary registers.

Amendment negatived.

*THE LORD CHANCELLOR OF IRELAND: I move, in line 23, page 11, to leave out from "apply" to "all" in line 24, and then in line 24 to leave out "transfer" and insert "ownership."

Amendments agreed to.

Clause 25, as amended, agreed to.

Clauses 26 and 27 agreed to, with verbal Amendments.

*THE LORD CHANCELLOR OF IRELAND: After Clause 27 I have to move a new clause.

Amendment moved, at end of clause to insert as a new sub-section—

"Provision may be made by general rules for the transfer of the registration of any land from a local to the central office, or from the central to a local office, on the application of the owner, and with the prescribed consents, and after such transfer has been effected in the prescribed manner the register as regards any such land shall mean the register kept in the office to which registration has been so transferred."—(*The Lord Chancellor of Ireland.*)

Amendment agreed to.

Clauses 28 to 34, agreed to.

Clause 35 agreed to, with verbal Amendments.

Clauses 36 and 37, agreed to.

Clause 38.

LORD MONTEAGLE OF BRANDON: My Lords, the object of my Amendment is to take every safeguard that can be taken against the danger which my noble Friend the Marquess of Waterford alluded to in his remarks on going into Committee—the danger of sub-division in the future. The scheme of the Bill, as I understand, is to rely on the prohibition in the Act of 1881 against the sub-division of land during the time it is subject to a charge to the Land Commission. I do not altogether agree with the noble Marquess that we should seek to legislate for the future 50 years ahead, but I think, during the 49 years over which these payments will extend, that your Lordships will agree everything possible should be done to guard against the danger of sub-division. I propose to insert words making the consent of the Land Commission necessary for having more than one person registered as owner of any holding he has subject to such a charge to the Land Commission. The noble and learned Lord has, since I put down my Amendment, proposed an Amendment which, as far as I understand it, has a somewhat similar object in view; but I confess I should prefer my own, because it goes further, and justifies the Land Commission in putting an absolute veto on any sub-division of the land. It almost compels the intervention of the Land Commission—such is my object at any rate—whereas the Amendment of the noble Lord, as I understand it, would admit anybody else, or the public generally, upon the register. The fact is, that such sub-division is a contravention of the Act of 1881, and it would then be a case of *caveat emptor*, and anyone dealing with the land would know he did so at the peril of having the Land Commission claiming to sell the land. I beg to move the Amendment of which I have given notice.

Amendment moved, in line 6, after ("restricted") to insert—

("And the registering authority shall not without the consent of the Land Commission register more than one person as owner of any holding which remains subject to any charge in respect of an annuity in favour of the Land Commission.") — (*The Lord Monteagle of Brandon.*)

*THE LORD CHANCELLOR OF IRELAND: I have considered very closely the Amendment of my noble Friend, and I think the Amendment which stands in my own name does everything which can be suggested in the way of precaution. Under the law as it at present stands ample provision is taken pending the existence of any instalment. Under the Land Act of 1881, the 31st section, and subsequent Acts, the first precaution is taken that there shall be no sub-division whatever; and in order to draw attention to them I have adopted the suggestion of the noble Lord. The requirement there is that it is to be stated on the face of the Record what are the controlling charges. Then Sub-section 94 draws the attention of the Land Commission specially to the necessity of taking the greatest possible precautions by Rules, and, therefore, I hope the noble Lord will not press this, for I think the matter is amply dealt with by this clause, and I feel that certain suspicions would be engendered by such an Amendment as he suggests, and would lead to discussion. The Amend-

ment which I have placed upon the Paper does everything, I think, that can be required as a precaution against danger.

*THE MARQUESS OF WATERFORD: I must correct my noble Friend Lord Monteagle. I did not say that I wished to legislate for what may take place in 49 years' time. All I said was that you had better leave the law of inheritance as it at present exists, and that if you are going to alter the law I think something should be done as far as possible to prevent sub-division. I agree with my noble and learned Friend below me as to what he has stated is the case, and I do not think the Amendment is necessary.

Amendment (by leave of the Committee) withdrawn.

*THE LORD CHANCELLOR OF IRELAND: I will now move my Amendment.

Amendment moved, in Clause 38, page 17, at end of Clause, to insert as a new Sub-section—

("(2.) It shall be the duty of the registering authority to note upon the register in the prescribed manner the prohibitive or restrictive provisions of any such Act of Parliament; but such provisions shall be deemed to be burdens to which, though not registered, all registered land is by this Act declared to be subject.")—(*The Lord Chancellor of Ireland.*)

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39 agreed to, with verbal Amendments.

Clauses 40 to 54 agreed to.

Clauses 55 to 57 agreed to, with verbal Amendments.

Clauses 58 to 60 agreed to.

Clause 61.

*THE LORD CHANCELLOR OF IRELAND: My noble Friend Lord Arran has an Amendment down to strike out the whole of this clause, and I must say I think this Amendment of mine is intended to meet the inconveniences which he believes to exist in the clause, and which were pointed out so forcibly by the Marquess of Waterford in his speech on going into Committee. What was stated then was that solicitors would with a light heart, whenever they had a mortgage, say to the persons for whom they were acting, "Oh, you may as well serve a notice; it will be safer;" and that, consequently, there would be a bundle of cautionary notices served without the slightest necessity, and lead probably to a great deal of trouble. My Amendment proposes to except from the scope of this clause all registered instruments which might turn out on a search in the Register Office, and to leave it to operate only on documents which were not unregistered, or were incapable of registration, and were not, therefore, on the register. My noble Friend will see that I have gone as far as I can to meet the necessities of the case upon these Amendments.

LORD MONTEAGLE OF BRANDON: After what has fallen from the noble and learned Lord, I shall, of course, not move my Amendment, as the one he has put down, in his opinion, meets my objections to the clause.

Amendment moved, in Clause 61, page 28, line 1, after ("may") insert (if claiming otherwise than under an instrument registered in the Registry of Deeds.")—(*The Lord Chancellor of Ireland.*)

Clause 61, as amended, agreed to.

Clause 62.

*THE MARQUESS OF WATERFORD: This Amendment is for the purpose of doing away with a difficulty which I alluded to in an address to your Lordships earlier in the evening. The clause will read "subject to general rules," and leave out "registering" where two or more persons are applying to be registered as owner of the same land, I presume.

*THE LORD CHANCELLOR OF IRELAND: Certainly.

*THE MARQUESS OF WATERFORD: It is making them apply to the Central Registry Office instead of leaving the Clerk of the Peace to decide such an important question of law as would arise when two persons are claiming the same estate. I think the wording of my Amendment will make it clear that the application should be to the Central Registering Authority, and, therefore, I would propose to move the Amendment as it stands upon the Paper. In addition to that, I move to leave out "or may refer the parties to the Court."

Amendment moved, in line 13, to leave out ("the registering authority"); line 15, to insert ("the central registering authority"); lines 15 and 16, to leave out ("or may refer the parties to the court").—(The Lord Tyrone [*Marquess of Waterford*].)

*THE LORD CHANCELLOR OF IRELAND: I think the Government proposals are sounder and would work better, cheaper, and in a more expeditious way. These are mainly small properties, and we are now providing for local registry. If there is any dispute there must be "an aggrieved person." If the Registrar thinks the matter out of his purview he may refer the parties to the Court. This Amendment would oblige him to say, "I really can't hear you," and although he is of opinion that the matter is one which he can well decide, and the parties so desire, you are not to allow the trained professional men to decide it, but to send the parties to Dublin. I think it is better to trust our officials. All our life depends upon our officials being able to do their duty. If you give the officer the power to refer the question, or if he does not do that and takes upon himself the decision, and you then give an appeal against him, it seems to me you have done everything the parties have a right to expect. You have provided a cheap, simple, and fair tribunal to which the parties can go, and if they acquiesce in the decision it is their own look out.

*THE MARQUESS OF WATERFORD: I think it would be a great misfortune if this clause were left in the Bill in its present form. The noble and learned Lord places great confidence in the Clerks of the Peace throughout Ireland. The noble and learned Lord thinks it is right they should be called upon to decide these questions, but I can only tell him that a great many are afraid they will be called upon to decide such important matters as would be involved in the question as to whom a certain portion of land belongs. The question cannot possibly be referred in a proper way to counsel; they cannot possibly have any proper books of reference in such Courts, and it would be better this Amendment should be adopted in the interests of everybody. I do not think it affects the landlords at all, and that it merely affects the tenants. Knowing how very litigious the peasantry of Ireland are, I believe those cases would be continually arising. I know how the peasantry of Ireland do engage in litigation, and the end of it will be they will have to go to the Central Court because the Clerks of the Peace will very properly refuse to decide such questions; and, therefore, I do think it would be a great improvement if at once the parties at issue were obliged to go to the Central Registry Department, I believe it would prevent a certain number of men making these applications, if they knew they had to go to the Central Registry Department, because they would feel that they would be thrown out there, and put to expense and trouble; whereas, if they can easily do it in their own district, knowing how very much disposed to law they are, I fear they will be rushing to these Courts and applying to be registered for land which does not belong to them. It is for the protection of the tenants and has nothing to do with the landlords.

LORD MONTEAGLE OF BRANDON: I would ask my noble Friend is it optional upon them? It seems to me to compel them to go to the Local Authority.

*THE LORD CHANCELLOR OF IRELAND: It is all subject to the governing rules, and I would assume myself they would provide for a certain class of cases. It would be wise of them in many cases to go to the local registry, and the whole object of the Bill is for the local registration of title. If they have not the power of going cheaply to the local tribunals to decide, they will in many cases think the game is not worth the candle, and it will not be worth their while to go up to Dublin to argue the question, employing counsel at an expense of £10 or £20, which they cannot afford. Therefore, unless you enable these small proprietors to have a cheap decision on the spot by a tribunal which satisfies them, and which will give them a speedy decision, you might be practically denying them justice by obliging them to go up to Dublin and engage counsel which they cannot afford. Under those circumstances I can well understand that many of them would suffer the loss of their rights, or what they believe to be

their rights, rather than incur the expense.

LORD HERSCHELL: I entirely agree that it would be very undesirable to do away with the power of the Local Authority to determine these disputes. Both parties may desire it, and it is obviously the cheapest tribunal for them. I would only suggest this: Might it not be worth while to allow the matter to be determined as the parties desire? Because where the Registrar takes upon himself to decide they cannot go to the Central Authority; they can only go to the Court. Might it not, therefore, be well to give them power to go to the Central Authority, and not only to the Court, in case it is not decided by the Central Authority?

*THE LORD CHANCELLOR OF IRELAND: I will consider the suggestion, but at present I think the clause sufficient.

*THE MARQUESS OF WATERFORD: No doubt it is a local registration of title, but these points will arise, and knowing the country as I do, I know perfectly well that where a man has not the smallest shadow of claim to land he will claim it if he can do so at no great expense to himself; whereas, if he knows he has to go at great expense to Dublin he will not do it. Therefore, I believe it would be a great protection to the real owners of land, if, upon such points as this, they were obliged to refer to the Central Registering Authority. I know in these districts men will make claims to land they have no right to whatever, and it is to prevent that in the interests of the real owners that I thought it necessary to put down this Amendment.

Amendment (by leave of the Committee) withdrawn.

Clause 62 agreed to.

Clauses 63 to 82 agreed to, with verbal Amendments.

Clause 83.

LORD MONTEAGLE OF BRANDON: My Lords, this clause, as it now stands, makes Part IV. of this Bill apply to freehold registered land, which is compulsorily to be registered under the Act. It has been several times stated in the ourse of this evening that there is an accumulation of cases, a great number of cases, to be registered where sales have already taken place under the provisions of the Acts, and those cases will all come on with a great rush to the Registrars. They cannot be registered without considerable delay, at least the whole of them, and, in the meantime, cases must arise in which Part IV. would come into operation with regard to these lands which are liable to be registered, or which are compelled to be registered, but the registration of which may not be completed; and in those cases, as the clause now reads, this Act would not apply unless the registration has taken effect. The object of my Amendment to leave out the word "registered" is to make Part IV. apply to all cases where the lands are compelled to be registered, whether the registration has taken effect or not. Otherwise, as it appears to me, confusion would arise between those two classes of persons, and that I hope the noble and learned Lord would admit would be undesirable.

Amendment moved, in line 16, to leave out ("registered"); line 20, to leave out ("registered") twice.—(*The Lord Monteagle of Brandon.*)

*THE LORD CHANCELLOR OF IRELAND: I quite understand the object of my noble Friend; he has stated it with great plainness. But I am not in a position to accept the Amendment, because this is prospective, and my noble Friend would seek to make it retrospective. It might be that after purchase, and before this Bill came into operation, the lands had devolved according to the freehold tenure in the case of a man who had married and had children in the faith of that devolution. You would have this retrospective provision, but you could not unmarry the man, and there he would be with the wife and the children and no freehold land, it might be, a very uncomfortable position.

LORD MONTEAGLE OF BRANDON: I thought the clause was retrospective as it now stands.

Amendment (by leave of the Committee) withdrawn.

Clause 83 agreed to.

Remaining Clauses agreed to, with verbal Amendments.

Standing Committee negatived: The Report of Amendments to be received on Thursday next; and Bill to be printed as amended. (No. 250.)

CROFTERS' COMMON GRAZING (SCOTLAND) BILL.—(No. 223.)

Read 3ª (according to order), and passed.

HIGHWAYS AND BRIDGES BILL. (No. 234.)

COMMITTEE.

House in Committee (according to order).

Clauses 1 and 2 agreed to.

Clause 3.

*LORD BELPER: My Lords, I have a small Amendment upon this clause which I think is almost consequential. It is after the word "authorities," to insert "and the Council of any adjoining County," and the object of it is to give power to a County Council to make agreements with a neighbouring County Council in the same way as the clause gives power to the County Council to make agreements with any Highway Authority. It frequently happens that a river is the boundary of a county, and the bridges are generally kept up by the two counties on each side. It is, of course, clear that as to county bridges there would be no necessity for any power of this sort as they have it already; but in respect of other bridges it would be necessary, supposing it were desirable to free, or improve, or enlarge those bridges, that the power should be given to one County Council to deal with the other. As it stands, I think the clause is really quite anomalous, because it gives power to the Council in one county to deal with another authority in another county, and does not give power to deal with the County Council, leaving out, therefore, the most important body with whom it is necessary it should have power to deal.

Amendment moved, in Clause 3, line 10, after ("authorities,") to insert ("and the Council of any adjoining County.")—(*The Lord Belper.*)

Amendment agreed to.

Clause 3, as amended, agreed to.

Remaining Clauses agreed to.

Bill re-committed to the Standing Committee.

RANGES BILL.—(No. 238.)

Read 3ª (according to order), with the Amendments.

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, I have an Amendment after Clause 13 to insert a new clause. The object of this Amendment is to place regiments of Yeomanry Cavalry in the same position as Volunteer Corps.

*LORD BELPER: May I ask the noble Lord, in thanking him for putting the Yeomanry in the same position as the Volunteers, whether it would not be advisable to alter Clause 2, in order to enable the Yeomanry to request the County Councils to buy ranges for them?

EARL BROWNLOW: I think not. The Amendment I have moved will cover the whole thing. The Volunteers can call upon the County Councils to help them, and in the same way the Yeomanry Cavalry will be in the same position. They are put in the same position exactly as the Volunteers.

Amendment agreed to.

Bill passed, and returned to the Commons.

House adjourned at a quarter before Eight o'clock, till to-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 21st July, 1891.

The House met at Ten of the clock.

ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to,—

1. Law Agents and Notaries Public (Scotland) Act, 1891.

2. Mail Ships Act, 1891.
3. Local Authorities Loans (Scotland) Act, 1891.
4. Allotments Rating Exemption Act, 1891.
5. Roads and Streets in Police Burghs (Scotland) Act, 1891.
6. Bills of Sale Act, 1891.
7. Fisheries Act, 1891.
8. Stamp Act, 1891.
9. Stamp Duties' Management Act, 1891.
10. Consular Salaries and Fees Act, 1891.
11. Municipal Registration (Dublin and Belfast) Act, 1891.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL, 1891 (RE-ORGANISATION OF LAND COMMISSION STAFF).

Copies ordered—

"Of the Reports made by the Land Commissioners, for the information of the House of Lords, respecting the proposed exclusion of the Land Commissioners from being joined with the Lord Lieutenant and the Treasury in determining the permanent Organisationo f the Land Commission Staff." — (*Mr. A. J. Balfour.*)

Copies presented accordingly; to lie upon the Table, and to be printed. (No. 355.)

HANOVER CHAPEL BILL [*Lords*].

Reported from the Select Committee with Amendments.

Minutes of Proceedings to be printed.

Report to lie upon the Table, and to be printed.

ENDOWED CHARITIES (ANGLESEY).

Return ordered—

"Of the Digest of Endowed Charities in the county of Anglesey, the particulars of which are recorded in the Books of the Charity Commissienors for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1872-4 (in continuation of Parliamentary Paper, No. 155 (4), of Session 1876)."—(*Mr. James William Lowther.*)

HOUSE OF COMMONS (ADMISSION OF STRANGERS).

Return ordered—

"Showing the Number of Strangers admitted to the various Galleries of the House of Commons in each Session of the present Parliament, in the following form:—

	1.	2.	3.	4.	5.	6.	7.
Session.	Number of days in Session.	Number of persons admitted to Special Gallery.	Number of persons admitted to Speaker's Gallery.	Number of persons admitted to Strangers' Gallery.	Number of persons admitted to Members' Gallery.	Total number of persons admitted to all Galleries.	Average daily number of persons admitted to all Galleries.
Session 2, 1886							
1887							
1888							
1889							
1890							
1891							

—(*Mr. Childers.*)

ENDOWED CHARITIES (BUCKINGHAM).

Return ordered—

"Of the Digest of Endowed Charities in the county of Buckingham, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1862-4 (in continuation of Parliamentary Paper, No. 433 (2), of Session 1868.")—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (CHESTER).

Return ordered—

"Of the Digest of Endowed Charities in the county of Chester, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1862-3 (in continuation of Parliamentary Paper, No. 433 (3), of Session 1868)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (CORNWALL).

Return ordered—

"Of the Digest of Endowed Charities in th county of Cornwall, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1863-4 (in continuation of Parliamentary Paper, No. 433 (4), of Session 1868)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (ESSEX).

Return ordered—

"Of the Digest of Endowed Charities in the county of Essex, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1863-4 (in continuation of Parliamentary Paper, No. 433 (6), of Session 1868.")—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (GLOUCESTER).

Return ordered—

"Of the Digest of Endowed Charities in the county of Gloucester, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1864-5, or in that in the city of Bristol, 1869-70 (in continuation of Parliamentary Papers, No. 433 (18), of Session 1868, and No. 25 (5), of Session 1873)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (HUNTINGDON).

Return ordered—

"Of the Digest of Endowed Charities in the county of Huntingdon, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1863-4 (in continuation of Parliamentary Paper, No. 433 (8), of Session 1868)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (SOMERSET).

Return ordered—

"Of the digest of Endowed Charities in the county of Somerset, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1869-71 (in continuation of Parliamentary Paper, No. 25 (3), of Session 1873)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (STAFFORD).

Return ordered—

"Of the Digest of Endowed Charities in the county of Stafford, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1865-6 (in continuation of Parliamentary Paper, No. 91 (5), of Session 1869)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (WARWICK).

Return ordered—

"Of the Digest of Endowed Charities in the county of Warwick, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1872-4, or in that in the city of Coventry, 1872-74 (in continuation of Parliamentary Papers, No. 243 (1) and 243, of Session 1875)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (YORK, WEST RIDING).

Return ordered—

"Of the Digest of Endowed Charities in the county of York, West Riding, the particulars of which are recorded in the Books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1873-5 (in continuation of Parliamentary Paper, No. 155 (2), of Session 1876)."—(*Mr. James William Lowther.*)

MR. HOWELL (Bethnal Green, N.E.): Is it not possible to present all these Returns in a complete volume together?

*MR. J. W. LOWTHER (Cumberland, Penrith): I think the course suggested by the hon. Member is a very desirable one. The reason why they are moved for in their present form is that we are asked by the County Councils to proceed as rapidly as possible, and as soon as the Return for each county is complete, we come down to the House and

move for a Return. I will see whether they may not be given together in a complete form when all the counties are finished.

MR. BRUNNER (Cheshire, Northwich): Is it not possible to deposit them in the public libraries of the country?

*MR. J. W. LOWTHER: That is a matter which does not rest with us, but with the Treasury.

BANK OF ENGLAND (NOTE ISSUES AND SECURITIES, &c.)

Return ordered—

"Showing—

1. Amount of Notes issued, and of the Securities held by the Issue Department, in the first week in each month of the years 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, and 1890;
2. Amount of the various Liabilities and Assets of the Banking Department, in the first week in each month, in each of the years 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, and 1890; and
3. Amount of the Branch Bank Notes from the several Branch Establishments of the Bank of England, in circulation in the first week of each month, in each of the years 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, and 1890;

(in continuation of Return (furnished by the Bank of England) in Miscellaneous Statistics of the United Kingdom (Part XI.) 1883 [C. 3423], pages 317, 318, 319)."—(*Mr. Samuel Hoare.*)

BANK OF ENGLAND (NOTE ISSUE).

Return ordered—

"Of the Bank Notes issued by the Issue Department of the Bank of England in each week from the 30th day of December 1876 to the 31st day of December 1890, showing the Amount remaining in the Banking Department in each week, and the Denomination and Amount of the Notes in the hands of the public."

"And, Weekly Returns, for the same period, of the Notes issued by the Issue Department, with the Securities and Bullion held against them (in continuation of Parliamentary Paper, No. 226, of Session 1877)."—(*Mr. Samuel Hoare.*)

TULLAMORE GAOL.

Copy ordered—

"Of the Report of the Commissioners upon the condition of Tullamore Gaol."—(*Dr. Tanner.*)

REGISTRARS' FEES (MIDDLESEX).

Return ordered—

"Showing, for the year 1890, the Fees received by the Registrars of Middlesex, the Number of Transactions, the Expenses of the Office, and the Net Amount paid to the surviving Registrar and to the Queen's Remembrancer (in continuation of Parliamentary Paper, No. 253, of Session 1890)."—(*Sir John Lubbock.*)

MESSAGE FROM THE LORDS.

That they have agreed to,—Commissioners for Oaths Act (1889) Amendment Bill; Slander of Women Bill, with an Amendment to each Bill. Returning Officers (Scotland) Bill, with Amendments.

QUESTIONS.

GILGIT AND CHITRAL.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Under Secretary of State for India whether he will lay upon the Table the Papers that explain the circumstances under which British Political Officers and Indian troops came to be stationed in the remote valleys of Gilgit and Chitral, in the Himalayas, far beyond the boundaries of British India, or will he give references to the Despatches showing under what authorities that occupation of these remote districts was undertaken; and will he state what troops and officers are now stationed there?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Neither a Political Officer nor Indian troops are stationed at Chitral. Gilgit is part of Kashmir; and a Political Officer and Kashmir troops are stationed there. An Agent was first stationed at Gilgit in 1877; he was withdrawn in 1881, and re-established two years ago. There are no Papers which, in the opinion of the Secretary of State, can be laid before Parliament without injury to the Public Service.

SCOTCH POLICE BURGHS.

MR. T. ELLIS (Merionethshire): I beg to ask the Lord Advocate whether he can state the number of police burghs containing a population under 3,000; and how many of these have a population under 1,500?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): According to the figures of the last Census, there are 72 police burghs with a population under 3,000, and 30 of these have a population under 1,500.

NONCONFORMIST SCHOOL IN DENBIGHSHIRE.

MR. T. ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the inhabitants of Gellioedd, in the parish of Llangwm, County of Denbigh, being almost all Nonconformists, established a school to provide education for children who would otherwise be compelled to attend a distant Church of England school; and whether he will state on what ground the Government grant was withheld from this school?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Gellioedd School was started in 1889 by a certificated master who had been dismissed from the Langwm National School, but a grant was refused on the double ground that the school was unnecessary (Elementary Education Act, 1870, Section 98), in which opinion the School Board concurred, and that the building was unsuitable. A triennial election having taken place in the interval, an application was subsequently made by the School Board for leave to build a new school at Gellioedd, when the Department informed them of the grounds upon which they considered the school to be unnecessary, and inquired whether the Board were able to adduce any further evidence in support of their allegation that the school was necessary. No reply has been received to this letter, nor has any further application been made to the Department on behalf of the school. I may add that the claim for a grant to a school in this place has been based all along on its geographical position, and it has never been stated that it was specially supported by Nonconformists.

MR. PICTON (Leicester): May I ask upon what ground the school was considered unnecessary?

*SIR W. HART DYKE: If a new school is proposed to be built in a place where there is a School Board, it is the custom of the Department to inquire whether, in their opinion, a new school is necessary. In this case the School Board replied that it was not necessary, and it was ascertained further that the building selected for the purpose was unsuitable.

MR. T. ELLIS: May I remind the right hon. Gentleman that in the first instance the School Board supported the application for the school, the nearest school being a Church of England school three or four miles off?

*SIR W. HART DYKE: It may be true that in the first instance the School Board supported the application, but they subsequently changed their mind.

PUBLIC HOUSE LICENCES.

MR. TALBOT (Oxford University): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the conditions under which Justices of the Peace now are with regard to appeals against refusals to grant or renew licences for the sale of intoxicating liquors, whereby they are in some instances liable, in the event of their decisions being overruled, to the personal payment of costs; and whether he will consider the propriety of indemnifying Justices in such cases, so that they shall be able to exercise their jurisdiction without risk of personal loss, as is now the case with Her Majesty's Judges when their decisions are appealed against?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): There is no appeal against a refusal to grant a new licence. In the event of an appeal for the renewal of a licence being successful, the Court of Quarter Sessions may order the Treasurer of the county to pay the costs incurred by the Justices. Section 66 of the Local Government Act also makes provision for repayment out of the County Fund of expenses incurred by Justices in defending legal proceedings in certain cases. It has not been brought to my notice that these provisions are insufficient for the protection of Justices in proper cases. I should not be prepared to advise any subvention from Imperial funds.

LOANS TO CROWN COLONIES.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of

State for the Colonies what is the amount realised by the 10s. per £100 charged by the Crown Agents on all loans obtained for Crown Colonies during the last five years; what is the amount realised by the 5 per cent. commission charged by the Crown Agents on all supplies purchased by them for the Crown Colonies during the last five years; what is the amount of the discounts given for cash payments by those from whom the supplies are purchased during the last five years; what is the actual cost per annum of the Agency, and whether the excess of receipts (if any) over expenditure goes to the Crown Colonies, or is paid into the Imperial Exchequer; and whether any firm of repute applying to the Crown Agents to be put on the list of firms allowed to tender is put on the list?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The 10s. per £100 charged by the Crown Agents on the issue of loans has realised £21,230 5s. in the last five years. The commission charged by the Crown Agents on supplies is not 5 per cent., but 1 per cent. This rate came into force in October, 1886, and since that date has realised, to the 30th June last, £32,816 17s. 7d. The amount of the discounts for cash payments on the purchase of supplies cannot be given, as it cannot be ascertained without the examination of all the documents relating to the transactions of the past five years, which are many thousands in number. The Crown Agents invariably obtain, for the benefit of Colonial Governments, the full rates of discount under all heads. The cost of the Crown Agents' establishment for the year ended 30th June last was £16,969 18s. 6d. Any excess of receipts over expenditure does not go to the Crown Colonies or to the Imperial Government, but to the formation of an Office Reserve Fund to provide for pensions, and to meet fluctuations in business. I may explain that there are other receipts besides those referred to in the question, namely (a) the charge for paying dividends and for paying off loans; (b) the fixed contributions by Colonial Governments for paying pensions, salaries, and numerous other charges; and (c) the half brokerages on investments and sales of securities. The scale on which all these charges are made is settled and carefully revised from time to time by the Secretary of State. The Crown Agents place on their list of contractors the name of any firm applying to them, of those repute they are satisfied.

TITHES IN WALES.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that Mr. E. H. James, a Magistrate acting for the Petty Sessional Division of Kemmaes, in Pembrokeshire, who is a leader of the anti-tithe agitation, insisted on sitting on the Bench of the Petty Sessional Division of Kilgerran, in order to try a case arising out of a disturbance which occurred in the collection of arrears of tithe rent-charge; whether it is according to usage for a Magistrate to take part in hearing a case at Petty Sessions outside his own district in which he is personally or politically interested; and whether he will call the attention of the Lord Chancellor to the case?

MR. MATTHEWS: I am informed that Mr. E. H. James claimed to sit on the Bench of the Kilgerran Division on the ground that the alleged offences were committed in the Division of Kemmaes, and alleged that he was present to see justice done. It is not usual for Magistrates to sit outside their own Petty Sessional Division unless they are requested to do so in order to make up a Bench. This is not, however, a matter to which I should think it necessary to call the attention of the Lord Chancellor.

HOURS OF LABOUR IN COLLIERIES.

MR. D. THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether, in view of the interest taken by a large number of miners in the proposal to limit by legislation the hours of labour to eight from bank to bank, he will cause a Return to be made, showing for every colliery in the United Kingdom, and for every day in the week, the present customary hour for commencing and ceasing to wind or draw coal, the time allowed for meals, the shaft (upcast or downcast) through which the men are

let down and brought up, the shaft through which the boys are let down and brought up, the time occupied both in letting down and in bringing up all the persons employed underground during the coal shift, also showing whether the pit is worked on the single or double coal shift system; and whether the upcast shaft is used for winding coal; and, if so, to what extent?

*MR. MATTHEWS: I cannot consent to give this Return. I laid on the Table last year a Return the compilation of which involved very considerable expenditure of time and labour by Inspectors, who have other important duties to fulfil, and which exhibited with reference to the eight hours' question the average number of hours and days worked by men at collieries arranged by counties. The miners are themselves acquainted with every detail referred to in the question, and I would refer the hon. Member to the exhaustive Statistical Report published by the Miners' Federation last autumn, which practically supplies the information now asked for, except at collieries in Northumberland, Durham, and Cleveland, in which districts the men are opposed to the Eight Hours Bill.

MR. T. E. ELLIS: Does not the right hon. Gentleman think that the House should be made acquainted with the opinion of the miners?

*MR. MATTHEWS: Last year I laid upon the Table a Paper which contained the hours and days of their employment, and hon. Members can consult the elaborate Return prepared by the men themselves.

MR. HOWELL (Bethnal Green, N.E.): Is there not a Return this year which gives the views of the miners?

*MR. MATTHEWS: I am not aware.

POISONING BY EATING TINNED SALMON.

DR. TANNER (Cork, Co. Mid): I beg to defer until Thursday my question—To ask the Secretary of State for the Home Department whether his attention has been directed to the poisoning of six persons, resulting in the death of one, in consequence of having eaten tinned salmon; whether it is a fact that many cases of acute gastric irritation and tin poisoning have been reported from time to time consequent upon the consumption of tinned fish and shell fish (lobster); and whether, having regard to the evidence given in the case referred to by Dr. Arthur P. Luff, an expert, before Dr. Danford Thomas, steps will be taken to inquire into the subject for the protection of the public and the safeguarding of legitimate trade?

CENSUS ENUMERATORS.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate whether enumerators for the Census of 1891, *i.e.*, William Baxter, Alex. Alexander, and James Christie, Old Meldrum Parish, Aberdeenshire, have yet been paid; and, if not, will he explain why?

*MR. J. P. B. ROBERTSON: I must ask the hon. Gentleman to put down the question for Thursday.

KEW GARDENS.

MR. CREMER: I beg to ask the First Commissioner of Works whether his attention has been called to the character of the refreshments served at the kiosk in Kew Gardens; what are the terms upon which the contractor holds possession of the kiosk; whether the conditions permit margarine to be sold for butter, the selling of bread and pastry which people are occasionally unable to eat, and serving tea from the bulk after promising fresh tea to each customer; and whether he will see that additional shelter and a little more comfort is provided the public?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I cannot say that I have received any serious complaints as to the character of the refreshments supplied at the kiosk in Kew Gardens. The pavilion was erected by the contracter at his own cost; he holds an exclusive licence for the sale of refreshments for seven years from August 1, 1888, at a graduated rent rising from £100 per annum at first to £150, and then to £200 per annum. His tariff of prices is to be approved by the Office of Works, and he is to carry on his business to our satisfaction. He has to surrender the pavilion to us in good repair at the expiration of his licence. The contractor emphatically denies the allegations as to margarine being used for butter, and as to the other matters suggested in the question of the hon. Member, with re-

ference to the quality of the refreshments served, I should think it would be for his interest to make such complaints impossible. I had not heard that additional shelter was required; but I shall make inquiries on the subject.

JOHN BANKS' BEQUEST.

MR. CREMER: I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether the attention of the Charity Commissioners has been drawn to the following statement, which appeared in the *City Press* of 15th July, with regard to the people who have been in receipt of John Banks' bequest of £5 per annum:—

"The pensioners, who were appointed by the parish of St. Benet, Paul's Wharf, met as usual last Wednesday at Haberdashers' Hall, thinking that their pensions would, as a matter of course, be paid to them. No money was, however, forthcoming, they being told that the income hitherto devoted to the payment of pensions had been appropriated by the Charity Commissioners, who intended diverting it into quite different channels. A pensioner writes: 'I am 61 years of age, and since last October I have been confined to bed with paralysis, and have no hope of ever walking again or being able to earn anything. I am entirely dependent on this pension and another of £20 a year from Christ's Hospital, which they have also taken;'"

if he would state to what purposes these funds have been applied, and by what authority these funds were diverted from the former recipients; and whether anything would be done to mitigate the hardship to them of being suddenly deprived of this resource?

MR. J. W. LOWTHER (Cumberland, Penrith): The parochial charities of the parish of St. Benet, Paul's Wharf, like those of the other City parishes comprised in the Second Schedule to the City of London Parochial Charities Act, 1883, are now administered by the Governing Body appointed by the central scheme approved by Her Majesty in Council under that Act upon February 23 last. That scheme contains elaborate provisions for satisfying the claims, whether legal or merely equitable, of persons who, prior to a certain date long subsequent to the passing of that Act, were in receipt of pensions from the charities now administered under that scheme. Application should therefore be made to that Governing Body in respect of any claims in respect of such a pension.

INCOME TAX.

COLONEL LLOYD ANSTRUTHER (Suffolk, Woodbridge): I beg to ask the Chancellor of the Exchequer whether he is prepared to reconsider the recent decision of the Treasury, declining to allow rebate beyond the statutory period of three years of Income Tax paid in error for many years past on the invested funds of the Samford Hundred Benefit Society, thereby causing a severe loss and great hardship to a Friendly Society composed of 1,500 members, principally agricultural labourers, who can ill afford the loss the decision entails upon them?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): I can only repeat the answer which I have already given to my hon. and gallant Friend by letter, namely, that the law forbids any claim for repayment of Income Tax to be allowed unless made within three years after the end of the year of assessment to which the claim relates, and that I have no power to set aside this provision.

POSTAGE OF TRADE SOCIETY CIRCULARS.

MR. HOWELL: I beg to ask the Postmaster General whether it is his intention, under the new Act, to include in the Post Office Regulations, as to the transmission of circulars, registered trade unions in the same category as Friendly Societies, in so far as official notices are concerned?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): It is not intended, in any alterations which may be made in the Book Post Rules, to confer any peculiar and exceptional privilege on Friendly Societies. One of the alterations contemplated, however, which will admit of circulars and accounts being combined on one document, is an alteration much desired by Friendly Societies; but it will be open to Trade Unions and to the public generally to forward similar documents at the Book Post rate.

POUNDAGE ON POSTAL ORDERS.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Postmaster General whether he can state the departmental or public reason for charging poundage on postal orders presented

three or more months after the date of issue, especially in view of the fact that the money is in the hands of the Post Office?

*MR. RAIKES: The period of circulation for postal orders was restircted to prevent their becoming a paper currency. In the original Postal Order Bill the period was fixed at 12 months, and was not renewable; but, in deference to the wishes of the House, this period was subsequently reduced to three months, and a commission charged for renewal.

THE RIVER NENE.

MR. MORTON (Peterborough): I beg to ask the President of the Board of Trade whether he has received Memorials from the Corporation of the City of Peterborough, and from an association of merchants and traders interested in the navigation of the River Nene, praying for an inquiry into the state of that river; whether he is aware that the County Councils of the soke of Peterborough and Huntingdonshire have appointed a Committee to promote the objects of the Memorialists; and whether, having regard to the great importance of the subject in the interests of arterial drainage and navigation, he will grant the inquiry as desired?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Yes, Sir; I have received the Memorials, but I was not aware of the appointment of the Committee to which the hon. Member refers. I have given directions for Major Marindin to make such an inspection of the condition of the navigation under the jurisdiction of the Nene Navigation Commissioners (3rd Division) as is authorised by Section 41 of the Railway and Canal Traffic Act, 1888.

HANOVER CHAPEL BILL.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Chancellor of the Exchequer whether, in view of the declaration of the First Lord of the Treasury that the Government would not promote any fresh legislation of a contentious character during the present Session of Parliament, he will refuse to give his assent to any further progress being made with the Hanover Chapel Bill, which proposes to make use of public money for a purpose, with regard to which there exists great difference of opinion amongst Members of this House?

MR. GOSCHEN: The Hanover Chapel Bill is a Private Bill, and, as I said before, it must take its chance with other Private Bills. It lies entirely outside any of the pledges given by the Government as to contentious measures or any action contemplated by them.

DUKE OF NORFOLK'S MISSION TO THE VATCAN.

MR. ATKINSON (Boston): I beg to ask the Under Secretary of State for Foreign Affairs whether the account of an informal Mission to the Pope by the Duke of Norfolk is intended to be followed by the appointment of a permanent representative of Great Britain at the Vatican; and whether it is usual, in any such document as is now printed, to set forth in full the letters of the Foreign Secretary signifying approval of the appointment of the gentlemen temporarily attached to the Mission; and, if not, why it has been done in this case?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Mission in question was not informal, though it was special. There is no intention to appoint a permanent Representative of Her Majesty at the Vatican. It is usual to set forth in full the letters of the Secretary of State in cases of Special Missions, and in the present case an Address was adopted by the House for "a Return of all Papers relating to the Mission of the Duke of Norfolk to the Vatican."

OLD HEAD OF KINSALE.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Board of Trade whether the Commissioners of Irish Lights, acting upon the suggestion of trans-Atlantic Steamship Companies and others, have applied for the sanction of the Board of Trade to increase the power of the light at the Old Head of Kinsale, and to place a powerful fog-signal at that station; and whether the Board of Trade have, in compliance with this request, sanctioned the erection there of the most powerful light applicable for important headlands and landfalls, as recommended in the Report of the Trinity House on the South Fore-

land experiments, and also a fog-signal of the most improved construction?

*SIR M. HICKS BEACH: In compliance with an application of the Commissioners of Irish Lights, the Trinity House and the Board of Trade have sanctioned an increase in the power of the light at the Old Head of Kinsale by the substitution of a ten-wick burner for the present four-wick burner. They have declined to sanction the suggested installation of the electric light at this station, as they are advised that the position is neither a "salient headland" nor an "important landfall," as specified in the Report referred to by the hon. Member, and that, therefore, the very large expenditure of establishing an electric light station could not be justified. No application for a fog signal is before the Board of Trade.

THE IRISH FISHERIES.

MR. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of a Memorial addressed to the Member for South East Cork, and signed by a large number of fishermen and boat owners connected with the Kinsale fisheries, who complain of the great injury done to the mackerel and hake fisheries (owing to the destruction of immature fish) by persons engaging in herring fishing before the proper season, 20th June; is he aware that Sir Thomas Brady, Inspector of Irish Fisheries, is of opinion that this premature fishing for herrings is ruinous to the hake and mackerel fisheries; and if, under the circumstances, the Government will order an inquiry, with a view to dealing with a matter that so largely concerns an important Irish industry?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Inspectors of Irish Fisheries had made representations on the subject of the injury done to the mackerel and hake fisheries by the destruction of immature fish. He had carefully considered the matter in question, and found that there were considerable difficulties in the way of dealing with it, as it could only be done by legislation, and that of a far-reaching character.

Dr. Cameron

POSTAL FACILITIES IN COUNTY CORK.

MR. MORROGH: I beg to ask the Postmaster General whether he has received a copy of a Memorial from the residents of Roberts Cove and Ballindeasig, County Cork, asking for further postal facilities; and whether, in view of the circumstances therein set forth, he will endeavour to comply with the request of the Memorial?

*MR. RAIKES: Since putting this Notice on the Paper, the hon. Member has been good enough to send me the Memorial referred to. As soon as the necessary particulars can be collected, I will give the matter full consideration, and will inform the hon. Member of the result.

TULLAMORE PRISON.

MR. D. SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with regard to the fact that prisoners sentenced to short terms of imprisonment, in many cases to seven days, at Athlone Petty Sessions Court, and neighbouring towns in the County Westmeath where Petty Sessions are held, are now sent for their term of imprisonment to Kilkenny Gaol since illness broke out in the Tullamore Prison, if he can state whether the cost of the removal of those prisoners, and the escort of police accompanying them, is borne by the ratepayers of Westmeath; and whether, under those circumstances, he would recommend that the Mullingar Prison, formerly the county prison, be again made available for the confinement of offenders tried and sentenced in the County Westmeath?

MR. A. J. BALFOUR: The expenses connected with the removal of prisoners are wholly defrayed by the Prisons Board, and are not chargeable upon the county ratepayers. In this case the removal is of a temporary character, and would not justify the outlay that would be involved in rendering Mullingar Prison again available as a long sentence prison.

CASE OF MR. M'CULLUM.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has been made aware that a

Mr. M'Cullum, who has been and is now an inmate of a lunatic asylum in Belfast, and whose wife pays for his maintenance in the asylum, is reported by his friends to be perfectly sane, and capable of looking after himself; and if he will direct the Board of Control to communicate with the authorities in charge of the asylum, with a view to learn whether this man is sane, and entitled to his discharge?

MR. A. J. BALFOUR: The Resident Medical Superintendent reports that there is no patient in Belfast District Lunatic Asylum of the name mentioned in the question; but that there is a patient named Robert M'Connell, whose maintenance is partly defrayed out of his private income. If the friends of the patient to whom the hon. Member refers, or the hon. Member himself, will furnish to the Inspectors of Lunatic Asylums, Dublin Castle, the exact name and particulars of his case, they will inquire into it.

FAIR RENTS.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give his consent to the insertion in this year's Expiring Laws Continuance Bill of the provision for extending, for 12 months from the 31st December, 1891, the time within which leaseholders in Ireland may apply to have fair rents fixed on their holdings?

MR. A. J. BALFOUR: The enactment relating to leaseholders referred to by the hon. Member has been already inserted in this year's Expiring Laws Continuance Bill.

THE LAND COMMISSION.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will lay upon the Table of the House, before the Purchase Bill is reconsidered, copies of the Reports made by the respective Land Commissioners for the information of the House of Lords, respecting the proposed exclusion of the Land Commissioners from a voice in the permanent organisation of their staff?

MR. A. J. BALFOUR: As soon as I saw the question on the Paper I gave directions that the correspondence should be prepared, and I hope to lay it upon the Table at once.

REGISTRY OF DEEDS OFFICE, DUBLIN.

MR. CLANCY (Dublin Co., N.): I beg to ask the Attorney General for Ireland whether the Government intend to make any provision for the transcribing clerks in the Registry of Deeds Office, Dublin, whose position will be seriously affected by the Local Registry of Title (Ireland) Bill, should it become law?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The matter is one which is under the control of the Treasury, and any question relating to it should be put to my right hon. Friend the Secretary to the Treasury.

KINSALE PIER.

DR. TANNER: I beg to ask the Secretary to the Treasury whether it is true that there is considerable subsidence in consequence of a crack or fissure at the point of Kinsale Pier; whether the repeated repairs executed on this structure are effective; whether the coping, as shown by the enlarged plan, shows that there has been considerable displacement since the adjacent coping was re-set in August, 1888; and whether any, and if so what, steps will be taken to remedy all defects in this pier?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): An examination was recently made of the Kinsale works, and it was found that so far as could be ascertained there has been no subsidence at the point or outer end of the new pier. The repairs hitherto found necessary to the pier only cost the trifling amount of £47, and are quite effective. At a point about 600ft. from the head of the pier there has been a slight subsidence of the quay wall, but this is not considered of importance, and there are no defects in the pier requiring immediate attention.

DR. TANNER: Then there has been a slight subsidence in the sea wall?

MR. JACKSON: No, Sir; I said the quay wall.

LIGHT RAILWAY TO SCHULL PIER.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is true that the proposed

extension of the light railway to Schull Pier has been abandoned; and, if so, whether this proposed work, having had the full approval of the Lord Lieutenant, having consideration for the great employment it will give in a distressed district, and the future effect it will have in relieving the baronial guarantee in a very poor locality, can be proceeded with after reconsideration?

MR. A. J. BALFOUR: The proposed Schull light railway extension has received careful consideration, but it has been found that there are serious difficulties in the way of promoting it as a relief work. The Lord Lieutenant has expressed himself anxious to see this work carried out as being one of considerable benefit to the locality, and we are in communication as to whether some means might not be devised for the purpose.

MR. DE COBAIN.

MR. T. W. RUSSELL (Tyrone, S.): I wish to ask whether the Government have yet arrived at any determination with regard to the case of Mr. de Cobain?

MR. GOSCHEN: I was about to rise to make a statement with regard to that case. I have not put down any Motion in the name of the Government, because we are anxious we should not appear to prejudice the feeling of the House with regard to the documents which have been put in by any such course. But I feel that we are bound to state our opinion to the House. A careful review of the documents which have been put in has led us to the conclusion that it would not be agreeable to the House, in the face of the documents before it, that we should, without further inquiry or without further step, proceed to expel the hon. Member on Thursday. On the other hand, we have a strong feeling, which we do not know whether the House will share, that it would be very unsatisfactory to leave the matter precisely in the position in which it stands. The facts are well known to the House; but I would recall this point, that we do not charge the hon. Member with any offence, but there is a *primâ facie* case that he has evaded justice by escaping from the country. I say a *primâ facie* case, for the House will observe that the declarations that have been made to us, the certificates which we have received from the legal representative of the hon. Member, give no explanation whatever to this House how it is that during all the months that have elapsed he has made no effort whatever to surrender himself to justice to take his trial. No such information is before us; all that we have is a certificate, the *bonâ fide* character of which it is not for me to impugn, but which I scarcely think the House will regard as entirely satisfactory. It is extremely vague in its terms—it gives no explanation whatever of the ailments from which the hon. Member may have suffered, and which may have kept him during these three months from attending to meet the charges brought against him. Under these circumstances we feel, subject to the better judgment of the House, that further steps ought to be taken. For our part, if such be the feeling of the House—we should wish to carry the House with us in anything that may be done—we would respectfully suggest that Mr. Speaker should be desired to obtain independent medical evidence with regard to the health of Mr. de Cobain and his alleged inability to attend. He is at present close to our shores, so that no time need be lost. I should, therefore, propose to postpone for some days, which will constitute the necessary time, the summons to the hon. Member to attend in his place, and in the meantime I would suggest that such additional medical evidence as may be obtainable should be procured. I should expect the view of the House would be this: they would certainly not wish to prejudice the case against the hon. Member, to abridge any privileges he may possess, or to take any harsh measure with regard to him; on the other hand, it is a serious matter that for all these months one Member of this House has been conveying the general impression that he is evading justice. This surely is a matter which we should endeavour, if we can, to bring to a termination as soon as possible.

MR. T. M. HEALY: I have held all along that the House is under a great obligation to Mr. Speaker for the way in which he has intervened and protected the rights of private Members. I agree with a good deal of what the Chancellor of the Exchequer has said, but I believe

that if the Government had, at the time this matter first arose, appointed a small Select Committee to act the part of a kind of Grand Jury—composed possibly of the Chairman of the Committee of Selection (the right hon. Member for the University of Oxford (Sir J. Mowbray) and the hon. Member for Bedford (Mr. Whitbread), together with one or two other Members of experience and authority—a great deal of difficulty would have been saved to the House. The position is that the Government adopted a precedent from the case of Mr. Sadleir, which, in my judgment, was altogether unsuited to the case of Mr. De Cobain, and, had it not been for the intervention of Mr. Speaker, a more precipitate course would have been adopted than was afterwards followed. What occurs to me is this: If the House had precipitately moved and proceeded with the expulsion of Mr. De Cobain, and if he were afterwards to appear before a jury in Ireland or elsewhere, and were to be acquitted, the House would be placed in an absolutely ridiculous position; because, although they would be technically justified in having taken note of the absence of Mr. De Cobain, they could not appeal to the general sense of equity in the country if afterwards there was a verdict of acquittal, and it had been preceded by a Motion of expulsion. Under these circumstances, it appears to me that a little further delay would not be unjust to the hon. Gentleman. There is much force in what the Chancellor of the Exchequer has said as to Mr. De Cobain's flight from justice; but, at the same time, the House ought to be warned by a notorious case that occurred recently, in which a gentleman occupying a high position was so over whelmed by a false charge of a similar character to this that he not only gave a false name and address, but actually tried to commit suicide. One could understand that a gentleman occupying the position of Mr. De Cobain, confronted by this terrible accusation, the most terrible that can be brought against a man, might in the first moment of his confusion take flight from the country. The proper course to take under these circumstances is, I think, a considerate course. As one who never spoke to the hon. Gentleman, and who is one of his most determined political opponents, I think it would not be unworthy of the great position this House occupies if it allowed further time to elapse before taking any step. The next Assizes will be the Winter Assizes, and the House will only sit 10 days or a fortnight longer. What, then, is to be gained by haste? What is to be lost to our dignity by delay? Nothing. While I am quite prepared to follow any steps that the Government may take, I say, speaking as an Irish Member of an Irish Member differing from me in politics, that the best course will be to allow the Session to close without taking any steps. If, after that, Mr. De Cobain should not present himself to justice, we should have the united sense of the Three Kingdoms with us in expelling him from the House the moment that the House re-assembles.

MR. J. LOWTHER (Kent, Isle of Thanet): It seems to me that the House is placed in a somewhat embarrassing position. If the Medical Report was to the effect that compliance with the Order of the House would imperil the health and life of the hon. Member, the House would have no doubt as to what its course should be, but, as I read the document, nothing of the kind is contained in it. No medical adviser would be prepared to describe the dock of the Old Bailey as a good tonic for a person suffering from temporary ill-health, but the House has nothing to do with ulterior consequences before other tribunals. The Order of the House is precise—that the hon. Member is to attend in his place on a given date—and I trust the House will not establish the dangerous precedent of allowing other considerations to be imported into a very simple matter. If another medical authority is to report upon the case it ought to be clearly pointed out to that authority that what is to be reported upon is whether the attendance of the hon. Member in this House would involve any peril to his life. Of course, if the final Report of a competent and independent medical officer is to the effect that it would be injurious to the health and life of the Member—I mean that it would be seriously injurious to his bodily health—that the Order of the House should be obeyed, I should say the House would do well to let the matter drop, at any rate for the Session; otherwise it seems

to me that the duty of the House is to see that its Order is obeyed.

MR. LABOUCHERE (Northampton): I do not see what would be gained by sending over other medical men to make an investigation. We may assume that they would take the same view as to the excitement of a trial. We have, I think, only two courses—either to accept the medical certificate or not accept it. I certainly should accept it. I do not think much of medical certificates. There may be a certain amount of exaggeration, but, as has been said, the Session will close in 10 days. The hon. Member may surrender before next Session—in fact, he assures us that he will do so. I think, therefore, that the best thing will be to leave the matter alone, and not send over medical men. Let it rest until next Session, and then at the commencement of next Session, if the hon. Member has not fulfilled his promise, we can expel him.

SIR W. HARCOURT (Derby): I have listened attentively to what has been said by the right hon. Gentleman the Chancellor of the Exchequer. I agree with him on many points. I think the certificate is most unsatisfactory. To say that a man over whose head is hanging a grave criminal charge is suffering from nervous prostration is to say what would be said about any other man in a similar condition. What Judge would accept that as a reason for saying that a trial should not go on? I can understand and sympathise with the feelings of the hon. Member who has said if there is any doubt do not let us proceed. I understand this to be the general feeling of the House—that under the circumstances of the close of the Session and this certificate and affidavit having been delivered, and the Member in question having promised after a short interval to present himself and stand his trial, the House is disposed to postpone the matter until next Session, when it would be absolutely in a position to judge how far the allegations are true, and how far the hon. Member has made good his promise to stand his trial. As to sending over two medical men, I am disposed to agree with the two hon. Members who have spoken since the Chancellor of the Exchequer sat down. It seems to me that that would be hardly a dignified course. We might be led into an awkward position if one medical man thought that the Member might come over and the other thought he might not. We should then be embarked in a conflict of medical testimony in a matter which does not touch any disease, but merely deals with the moral effect of the charge on the Member's mind. What could we gain by a proceeding of that description? I was much struck with the remark of the Chancellor of the Exchequer that there is a strong feeling against prejudicing this man on his trial. The wisest course would be to leave the matter over until next Session.

MR. GOSCHEN: I am sorry that the right hon. Gentleman does not agree as to the expediency or propriety of the course which I suggested, of having a further medical examination. I venture respectfully to protest against the idea that it would be an undignified course. There can be no indignity at all. If there is an unsatisfactory certificate before us, I apprehend that in a matter of this great gravity, touching the honour of this House, it is right that further inquiry should be made. I have no doubt that that course, if adopted, will not reflect in the slightest degree on the character of this House or the dignity of its proceedings. I take note of the views which have been expressed by the right hon. Gentleman and by several right hon. and hon. Members, and I should be most anxious, and I am sure that all my Colleagues would be most anxious, that in a matter of this kind we should proceed as far as possible unanimously. I think that the course I suggested would be the wisest course. Still, it is not our desire to force that course on the minority by the majority. From the beginning of this matter I have said that we did not wish to prejudge the question. I thought it my duty to give the House an opportunity of considering whether it would treat this matter as we suggested, and so bring it to an issue. I see, however, there is a difference of opinion on this point, and I take note of that difference. I shall, therefore, ask the House to allow the subject to drop for the moment. After the way in which the House has been good enough to treat the question we shall consider the course which ought to be taken.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1891-2.

Considered in Committee.

(In the Committee.)

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £22,954, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Salaries and Expenses of the Office of Public Works in Ireland."

(4.18.) MR. KNOX (Cavan, W.): I beg to move the reduction of this Vote by the sum of £1,000, being the salary of the Chairman of the Board of Works, and my object in doing so is to call attention to a matter of considerable importance affecting my own constituency, namely, the Lough Erne drainage scheme. I propose to explain what that drainage scheme is, how it came to be undertaken, and what my reasons are for moving this reduction in connection with the mal-administration of the scheme which has undoubtedly taken place. I do not think the Government will deny that there has been mal-administration. In the first place, the people of the locality petitioned for a drainage scheme, and the Board of Works caused an inquiry to be made, and they are responsible for carrying out the plans and for seeing that the Estimates were sufficient. After the inquiry was held in the locality they decided that a drainage district should be constituted; that certain lands mentioned in the Schedule should be included, and that certain persons should form the Drainage Board. The persons chosen were almost exclusively representatives of the landlords, and among them was Mr. Frederick Ridge, now a member of the Land Commission, who was at the time agent of Lord Lanesborough. It was the duty of the Board to see that the money was expended for the benefit of the district, to ascertain, as soon as the works were completed, the total cost, including the interest which had accrued, and then to divide it among the reputed proprietors in proportion to the value of the improvement so far as it affected the land. The petition for the scheme was first launched in 1879, and the Board of Works sent down an engineer—Mr. Thomas Hawkesley—to conduct the inquiry. Mr. Hawkesley prepared an Estimate, giving the entire cost at £104,000, but the scheme was supposed to have a certain value for navigation purposes as well as for drainage, and on that account it was agreed that £30,000 should be contributed by the Treasury. Upon that Estimate the Board of Works drew up an Order and constituted a Drainage Board, placing Mr. Ridge upon it, who went there, as he has said himself, with the direct object of obstructing and putting an end, if possible, to the scheme. The works were directed to be completed within five years, but they occupied 10 years, and the locality found themselves burdened with £180,500 instead of £74,000. A great want of business capacity was displayed by the Board. In the first place they appointed a Scotch contractor.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have no wish to interrupt the hon. Gentleman but I wish to remark that the Board of Works were not responsible for carrying out the scheme.

MR. KNOX: I understand that they paid the money.

MR. JACKSON: They only advanced it.

MR. KNOX: If I am wrong in my reading of a very complicated Act of Parliament, I think it only shows that it requires to be amended, if not repealed altogether. Whatever was the form of the mal-administration, whether it was in consequence of the action of Mr. Ridge or the Board of Works in Dublin, it is an undoubted fact that there was mal-administration. A Scotch contractor was employed, who did little or nothing towards carrying out the scheme. The signatures of his sureties were never obtained to the contract, and when he ultimately threw up the contract the Local Board found they had no remedy. The result of this jobbery of one kind and another has been to double the cost of the works. In the year 1887 the amount spent became so alarming that the Grand Jury of the County of Fermanagh, by a large majority, demanded an inquiry at Enniskillen, upon oath, into the whole circumstances of the

case. That inquiry has never been granted, but it is still demanded by the people of the district, by the landlords as well as the tenants; and I venture to think that it would be extremely useful, not only to the people of the district, but as a guide to this House for future legislation. The work having been completed, an award has been made, a copy of which I hold in my hand. The Board of Works give in one column the increase in the value of the land which has resulted from carrying out the scheme; and in another column they set out what is to be paid by each proprietor. The repayment of the capital sum is spread over 49 years, and there is a charge for the maintenance of the works. The net result is that the sum which has to be paid every year by the proprietors is almost exactly equal to the sum which the Board of Works estimate to be the value of the improvement. The farmers say that although there may be some improvement it will be very trifling, and they are living now in imminent fear that their rents will be raised to pay for it, because Clause 46 of the Act of 1863 allows an application to be made, in certain cases, for an increase of rent where expenditure has been incurred for drainage improvements, and where no judicial rents have been fixed. I am not quite sure whether it can be done where judicial rents have been fixed, and I would certainly advise the tenants to raise the point in a Court of Law. But, in any case, there are numerous tenants who will have to pay charges which, in some instances, are greater than the total value of the land they occupy. It is not the fault of the people that this expenditure was incurred. They were not represented upon the Board, and certainly they would never have chosen a man like Mr. Ridge. The Local Board was originally appointed by the Board of Works without consulting the people, and year by year, as vacancies occurred, they were filled up by the proprietors, and not by the occupiers. Lord Lanesborough, before the award was made, tried to get his tenants to make agreements for sale before they knew that this charge was to be placed on the land. If these agreements had been entered into the tenants would have been bankrupt in a very short time, and the fact that such a proposal should have been made throws some light on the character of Mr. Wrench. Lord Lanesborough has not been regarded as a bad landlord, and I cannot but think it was by the advice of Mr. Wrench that he attempted to play this dirty trick on the tenants. It is clear that the tenants have had no share in incurring the burden. There has been mal-administration, or there was an insufficient estimate. From whatever cause, however, the amount levied is more than twice what it was originally thought would be levied. Under these circumstances, we have a strong case against the Board of of Works, and the Imperial Government as represented by the Board of Works. I beg to move the reduction of the salary of the President of the Board of Works by £1,000 in order to call attention to the mal-administration of the Board of Works, first, in passing an insufficient estimate; secondly, in appointing a Board not capable of carrying out the works; and, thirdly, in not spending moneys wisely for the benefit of the locality.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £1,000, part of the Salary of the Chairman of the Board."—(*Mr. Knox.*)

(4.33.) MR. JORDAN (Clare, W.): I rise to support the Amendment of my hon. Friend for the reduction of the Vote, and to protest against the incompetence of the Board of Works. The officers of the Board of Works seem to be incapable of initiating, executing, or finishing any public work. They are always muddling what they take in hand, and as the Church long ago was the happy hunting-ground of incompetents of a certain class, so the Board of Works now seems to be the happy hunting-ground of incompetent men who could not earn an honest living in any other sphere. The Board squanders public money, and its servants, who have ear-wigged and button-holed themselves into office, produce the smallest amount of result for the largest amount of outlay. In fact, it is a disgrace to the English administration of Ireland. The estimates for which it is responsible are nothing more or less than guess-work. Any private firm in this country which had such men as its servants would dismiss them if they presented estimates

like those prepared by the engineers of the Board of Works in Ireland. With reference to the Lough Erne drainage scheme, I am sorry to say I am one of the men who are taxed unduly for it in the locality. The lake is 52 miles long, and, owing to the continued loss of crops by floods, an effort was made about 15 years ago to drain it. The first estimate of the cost was £69,000, but the Board thought that was too low an amount, and the matter dropped for some time. In 1888 a Court presided over by Mr. Roberts, then County Surveyor of Sligo, but now a member of the Board of Works, was held in Enniskillen, the county town of Fermanagh, and an estimate of £104,000 was submitted by Mr. Hawkesley. On that estimate the landlords gave their assent, a Drainage Board was formed, and the drainage proceeded with. The estimate was divided into two portions—£30,000 for navigation, and the remainder for arterial drainage. When the works were completed, to the amazement of every taxpayer they were found to have cost £210,000, or more than double the original estimate, and the Board of Works sanctioned the payment of this sum. There was nothing unusual in the character of the work to account for the estimate being so far exceeded. My opinion is that the officials who sanctioned such an outlay should be cashiered and drummed out of the public service. The last award of the Board of Works assessed £7,262 per annum, and £1,000 a year for maintenance, making £8,262 per annum for 49 years on 17,500 acres said to be affected by the drainage. This is an average of 9s. 6d. an acre on good and bad land alike for half a century. In some cases it is equal to, if not more, than the rent. The whole district has been in a state of consternation since the award was made. Many of the poor farmers will be ruined if they can be legally called upon to pay. Personally, I am the holder, as tenant, of some land in the district on which the tax will be 15s. an acre, and rather than pay it I will certainly give up the land. But what is to become of men who have nothing to live on but their farms? A sovereign is valuable, but it is not worth 40s. The drainage scheme may have been value for £74,000, but it is not value for £180,000. The cure is, indeed, worse than the disease. To all parties the outlay is unjust. It is unjust to the landlords who assented to an estimate for £104,000, and however bad landlords may be, the Government has no right to treat them unjustly. It is unjust also to the tenants that they should be taxed for expenditure over which they had no control, either personally or by delegation. This excessive expenditure has disturbed the relations of landlords and tenants, not merely as regards the rent, but also as regards the prospects of sale under the Bill now before the House, and also as regards sales arranged for but not completed under the Ashbourne Acts. Those who have bought under those Acts in ignorance of the taxation that has been imposed upon them are simply wild, and feel that they have been entrapped. They thought that the Government would have stood between them and such an extravagant outlay. I wish to show what incompetence has marked the action of the Local Drainage Board. They advertised for a contractor and got a Scotch contractor, who did a little work and took away with him £2,129. Seeing it was not a very good job he simply walked away. It was found that Mr. Pomeroy, the aristocratic local Secretary of the Board, who took the money, but I suppose did not want to earn it, had not got the securities signed, so that the Board was unable to inflict any penalty on the contractor. Mr. Pomeroy was, however, continued in his position as Secretary, and he has taken £900 out of the award. Just imagine any private establishment permitting such a man to remain Secretary. Having no contractor, the Board let the easy part of the work to a new contractor and became contractors themselves for the most difficult part of the work. Mr. Price, who not long since lost his situation under the Midland Railway Company of Ireland, took away £7,085 for his contract. One item appears in the accounts as follows:—"Trespass, right of way, solicitor's costs, £28,654." Just imagine that! The fact is the money came easy, and they let it go easy. The works are still in an unfinished condition. Surely the least the Board of Works should have done would have been to see that the works were finished. The Local Board seek now to impose a sum of £1,000 a year for maintenance. It

is not maintenance at all. They intend to finish the work out of it, and to give the Local Secretary, who messed the job, £100 a year as long as he is alive. The irresponsible Local Board squanders the public money, and the Board of Works pays the piper. The Government now expect that men who are already paying too much rent should pay this monstrous tax. I am almost tempted to say I hope they will not, but I refrain from saying that. I do not know, however, how the people of the locality will be able to pay this additional tax. I have here a resolution passed at a public meeting at Enniskillen Court-house a week or 10 days ago asking for a public inquiry into the matter. I say the very least the Government can do is to give a public inquiry. It is not an unreasonable thing to ask, and it is a necessary thing if it be true, as I believe it is, that the final award made by Mr. Roberts, the officer of the Board of Works, was made upon data which were not vouched for by audit, date, or signature. I implore the Government to grant an inquiry on behalf, not only of the Nationalists, but on behalf of the loyal supporters who have stuck to them through good report and evil report. These are the men who are the primary complainers in this case. They ask for an inquiry before you pauperise the community by imposing this 9s. 6d. tax. What you ought to do is to pay down the money, and I ask the Government to do so. They are paying large amounts for the Shannon and the Suck, but Fermanagh has got nothing, and the least the Government can do is to pay the money down. I support the Motion for a reduction.

(5.0.) MR. T. W. RUSSELL (Tyrone, S.): I wish to join in the protest made by the hon. Member, because other drainage schemes are under consideration, and what happened in this case may occur in other cases. It is most extraordinary that an estimate for £104,000 should have grown into an expenditure of £210,000. Who was responsible for the making of this contract? Was it the Drainage Board or the Board of Works? If the Drainage Board, had the Board of Works no control whatever over the matter? It is certain that the people in the locality had no control; all they did was to sanction the smaller estimate, and now they are called upon to pay more than double the amount. I know that the Board of Works charges the amount on the respective proprietors, but that is only in the first instance, because the proprietors in their turn get an order charging the sum upon the occupiers. I know of a drainage scheme in my own district for which the occupiers have been called upon to pay. They have paid willingly, because they got value for their money. I hope that the right hon. Gentleman will be able to throw some light on the question of responsibility, in the interest of future drainage schemes, which are badly wanted. It certainly is not a good beginning that the estimate of cost should prove to be less than half the actual outlay. I think the responsibility must rest with the Board of Works. I am not going to make any charge against that Board, further than that it is either most incompetent or most unfortunate. I have never visited any part of Ireland where I have not heard every class of the community protesting against the Board of Works. Now, the whole community may be wrong, and the Board of Works may be right, but I do not think that the right is altogether on the side of the Board. The Secretary to the Treasury ought to look into the matter, for it is most undesirable that the new purchasers under the Ashbourne Act should have this extra levy of 9s. 6d. thrown upon them. I shall support the reduction.

*(5.5.) MR. JACKSON: I do not think there is any question as to the correctness of the figures which have been quoted, either in regard to the original estimate or to the actual cost. The whole question turns upon one fact, whether the Board of Works or the Local Drainage Board is responsible. The real difficulty is not one of administration by the Board of Works, but a question of the law which the Board merely carries out. But there can be no doubt that the responsibility for what has happened does not rest with the Board of Works, but entirely with the Local Drainage Board. An Act was passed in 1863 with the object of removing from the Government and the Board of Works the responsibility for carrying out the drainage works. The

distinct intention was to give the local people the full control.

MR. T. M. HEALY (Longford, N.): The local landlords.

*MR. JACKSON: At all events, the control was given to the persons who were responsible for the repayment of the money. Surely that was not unreasonable, and itself a good security that the work would be carried out as economically as possible. The initiative, as Lord Crichton's Commission of 1878 reported, was left entirely to the proprietors, the desire being that they should carry out the work with the least amount of official control; they having, however, placed at their disposal the advice and experience of the Board of Works, and public money being advanced for the undertaking. After the plans and estimates have been prepared, the Board of Works send down an Inspector to hold a local inquiry, at which all interested parties are heard. The duties this Inspector has to discharge are defined by Statute law; and the Board of Works is only responsible for seeing that he is a competent man. Upon his Report the Board of Works has to say if the scheme is one that should be carried out.

MR. JORDAN: The Board of Works are called upon to sanction the estimates as well as the plans.

*MR. JACKSON: They have no responsibility for the amount of the estimate beyond checking the figures supplied to them. It is not for me to excuse the large excess of the actual expenditure over estimate in this particular case. I contend that the responsibility for that does not rest with the Board of Works; it lies entirely with the Local Drainage Board, the names of the members of which are included in the first scheme submitted to the Board of Works. Those names are chosen by the Memorialists who petition for authority for the scheme. The hon. Member for Cavan spoke of the Board of Works having appointed Mr. Hawkesley, the engineer. Mr. Hawkesley stands high in the engineering world. He has a great reputation. The hon. Member has spoken in a light and airy way of the difficulties of dealing with boulder clay under water. Those who have had any engineering experience know it is not such an easy matter to deal with it.

MR. JORDAN: I said he knew the boulder clay was there and would have to be dealt with.

*MR. JACKSON: I was told a year ago that there was an enormous amount of it to be dealt with. A large amount of hard rock was unexpectedly met with, then there were heavy claims for compensation, and a large amount was spent in litigation. From what I have seen of drainage works in Ireland I have come to the conclusion that they ought only to be entered upon after very careful consideration, for there has been scarcely one of them which it has been found possible to keep within the original design, or to carry out at anything like the original estimate.

(5.17.) MR. T. M. HEALY: The right hon. Gentleman has referred to "light and airy" statements, but, surely, nothing could be less light and airy than the fact that the original estimate for this scheme has been exceeded and the outlay proved to be more than double that estimate. The right hon. Gentleman has proceeded on the assumption that the Board of Works has no responsibility for this. Is that so? If it is, then I ask what is the good of having a Board of Works? If £250,000 is to be taken from the Board of Works and handed over to Local Bodies simply because they cry "Shovel out the sovereigns, hang the expense," and if the unfortunate occupiers are subsequently to be called upon to repay money which has been expended without proper supervision, then what is the use of the Board of Works? It is really absurd. At one time you cannot extract a paltry sum of £5 10s. for repairing some public work, although the expenditure of that sum would have saved £12,000, yet in this case enormous sums are forthcoming and the Board of Works take no responsibility.

*MR. JACKSON: The money was advanced on certain security.

MR. T. M. HEALY: There speaks the spirit which permeates these transaction. As long as the British Treasury have the power to screw the cash out of the tenants of Ireland they do not care how it is expended.

*MR. JACKSON: The landlords give the security.

MR. T. M. HEALY: Yes, the charge is upon the landlords in the first instance; but they have power under the Act to shift the burden to the shoulders of the occupiers. Does the right hon. Gentleman think that the tenants of the counties of Cavan and Monaghan will submit to an addition of 15s. an acre to their rent in order to pay for jobbery of this kind? Knowing what I do of the people of Cavan, who are good, honest Celtic people, I believe they will not pay it. I say it is a public scandal that the Drainage Board, composed as it is, should have had so much money handed over to it to spend. The right hon. Gentleman disclaims all responsibility for the Board of Works; but surely its duty is to prevent estimates being exceeded as in this case. The Board ought to have seen that the work was properly executed. The Drainage Board is very similar to the Grand Jury. That body makes roads and constructs bridges, and does not care what jobbery is perpetrated, for it does not have to pay the money. In the same way, the Board of Works lends out money for these schemes to landlords who do not have to pay a shilling of the expenditure.

*MR. JACKSON: If the hon. and learned Member inquires into the matter he will find that the burden does not necessarily fall on the tenant. He is inaccurate when he says the landlords do not have to pay any money.

MR. T. M. HEALY: The Board of Works has the power of fixing what the tenant shall pay, and how does the Board fix it? It sends a young gentleman down to the county. He calls on several landlords, spends a few days in the district, and having found out the total charge spreads it like butter on bread over the entire district. And that is called ascertaining the charge on the tenants. I should not complain so bitterly were it not for the fact that this year we were enabled to pass through this House a small Bill which would have remedied this system, but it was choked in the Upper House, although the Government might have secured its passing if they liked. Its clauses were taken out of a Drainage Bill of their own, and it was not, therefore, a revolutionary Land League proposal. Last year we had good reason to complain of the jobbery, mal-administration, and excessive expenditure of the Drainage Board. The Board was constituted in order to serve the purposes of the landlords and their agents. The Government gave us a pledge last year that they would effect some improvement in the administration of the Board of Works, but they have done nothing in the matter. Of course, we could not expect the right hon. Gentleman the Secretary to the Treasury, with his multifarious duties, to exercise effective control over the Board of Works, and, therefore, we suggested that it should be brought under the control of some Irish Department. On the 14th of July, 1890, the right hon. Gentleman said (*Hansard*, Third Series, Vol. CCCXLVI., page 1,643)—

> "It may be that some better plan might be found than that of making the Secretary to the Treasury answer for the Board of Works in Ireland. That is a question of policy which has been present in the minds of the Government for some time, and possibly arrangements might be made which would give the Government the assistance of some one with more detailed knowledge of the works of the Board than the Secretary to the Treasury can have."

That was a year ago. From that time to the present have the Government done anything to carry out that pledge? No, Sir, and they have not carried it out. The fact is that English Ministers are quite satisfied with their day's work, and do not care to add to it. They cannot take anything like the paternal interest in our country which any man who was racy of the soil would do. This is a serious question for the occupiers in this locality. Are they to pay this £210,000? If so, it will create a great grievance in the district. The hon. Member for Clare (Mr. Jordan) says he will surrender his land. Of course he can do so, being a tenant from year to year, but if he were a leaseholder he could not surrender it. What is the humble occupier who has no other means of livelihood than his farm to do? Is he to be turned out of his farm because he cannot pay for jobbery of this kind? Mr. Price certainly made more out of the drainage scheme than he made out of the Midland Railway of Ireland. It is certainly not more than two years since he lost his place under the railway company, and I gather that he has got £7,000 out of the Drainage Board. Had not the Government better remit this money altogether? If they

will not do this, will they wipe off part of the sum and fix the amount somewhere between the estimate and the actual expenditure, or will they make the landlords pay the entire sum? I hope the right hon. Gentleman will not allow these districts to be harassed and driven almost into a state of insurrection over this unfortunate case. I hope, at all events, that if the tenants are made to pay, they will pay no more than their land will have gained by the scheme. The principle that the Board of Works has hitherto gone upon is practically to levy the charge on the farms of the tenants, and as this is a very large impost, I trust the right hon. Gentleman will see that some steps are taken in connection with it.

(5.37.) MR. KNOX: The right hon. Gentleman says the Board of Works act under Statute. That is, of course, a truism, but I think the right hon. Gentleman has not given the Committee the full effect of the statute under which they do act. We say the Board of Works are responsible for the estimate which is approved by their Inspectors, and are responsible for the men who are appointed to carry out the work. If the right hon. Gentleman refers to the statute he will see that if the Board of Works had done what they are bound to do by statute, they would not have let the district get into the present condition. Under the statute, the Inspector is in no case to be the same person who has previously reported to the petitioners. The Board of Works say that they appointed Mr. Thomas Hawkesley as Inspector to hold an inquiry. I think the right hon. Gentleman has been misinformed on this point, and it is possible we have unearthed another job, because Mr. Hawkesley first inquired into the matter, and then went down as Inspector.

MR. JACKSON: That is not the case.

MR. KNOX: Of course, the right hon. Gentleman is incredulous of any charge of mal-administration. Of course, Mr. Hawkesley is an eminent engineer, and I do not want to say he was guilty of jobbery, but I do say that if the Board of Works acted as the reports show they did, they have been guilty of the grossest mal-administration. I think that as this gentleman was appointed by the Board of Works, we have a strong case for saying the Board of Works are responsible for the estimate. The right hon. Gentleman denied that the Board of Works appointed the members of the Local Drainage Board, but it is bound expressly to do so by the terms of the statute, which says, "The Members of the first Drainage Board shall be named by the Commissioners." Under the circumstances, I say we have a strong case for an inquiry on oath into this mal-administration. It is a very serious thing that a charge, amounting altogether to over £180,000 should be placed upon the occupiers of these 17,000 acres. The right hon. Gentleman has said that the amount will only be the improved value of the land, but that really means nothing. The Board of Works knows that this is a glaring instance of its mal-administration. It is the largest drainage scheme that has been carried out in Ireland. The Board is well acquainted with the many failures which have taken place in other districts. Between the years 1848 and 1860 advances to the extent of £2,500,000 were made for these drainage schemes, and so wastefully was the money used that at least £1,000,000 of this money had to be remitted. So it will be with at least half of the present amount. I differ from my hon. Friend the Member for Longford on one point. He seems to think that because there are some Orangemen in Fermanagh the money will be found there. I do not think the money will be better found by Orangemen than by our own supporters. I have had more complaints on the subject from Tories than from my own supporters, and the Tories are just as averse to pay the money as are the Nationalists. Two landlords—Mr. Porter, who is not attached to any party, and Mr. Graham, who is a Conservative—refuse to pay and are going to force the Commissioners, to sell them up rather than pay. If the landlords refuse to pay how much more will the tenants refuse? The tenants have everything to lose by the imposition of this tax, and they know that if the money has to be paid in the locality their chance of purchasing on any fair terms will be taken away from them. The very least that can be demanded is an inquiry by an impartial

tribunal. If the Board of Works has no responsibility they should court inquiry; but if they resist it the inference is that they fear the disclosures an inquiry will bring. If they do decline to grant an inquiry, I think the people of the district will be amply justified in refusing to pay the charge.

(5.49.) MR. JORDAN: I regret exceedingly that my manner and bearing seem to Gentlemen opposite to be so light and airy. It is a very serious matter and by no means one of a light and airy character. It is no pleasure to me to come down to the House and address the Committee, but I am compelled to do so by the sense of responsibility that presses upon me. I am neither an official nor am I paid to advocate the cause of the people. I come here because I am one of the people and know their wants. I am sorry that my speech made such a light impression upon the right hon. Gentleman. As I have said, there were no unforeseen natural causes for this large excess of the expenditure over the estimate. The engineer who went down to inspect the place ought to have seen the condition of affairs. I am not here to cast reflections on Mr. Hawkesley or any other engineer, and I should be doing so if I assumed that he did not estimate properly for the work to be done. The right hon. Gentleman has admitted the whole case, but has said that the Board of Works is not responsible. I cannot understand how it is they are not responsible. The person sent down to hold the inquiry had as much right to express an opinion on the estimates as on the plans and specifications. Mr. Roberts actually refused to sanction a lock which it was proposed to put across Lough Erne. If he could do that surely he could refuse to pass the estimates. I wish the right hon. Gentleman would come down and see the lough. We would treat him kindly; he need not be afraid. I hold that the Board of Works have made themselves responsible for these Estimates and for the very large and excessive outlay that has taken place. Has the right hon. Gentleman no remedy to offer to the people of the locality for this admitted grievance? Surely he is not going to tax them with such a vast sum of money as this. When he has admitted the grievance, the least we can expect from him is an inquiry. I think an inquiry would end in the Treasury itself providing the £106,000 excess over the Estimates. The right hon. Gentleman is not treating us as he ought to do. Has he no concern for the loyal and Orange voters of the country? Will he give no redress to people who are threatened with fresh taxation to such an enormous extent that they will not be able to pay it?

(5.58.) MR. FLYNN (Cork, N.): It seems to me that the case made out by my hon. Friend is absolutely unanswerable. He has proved beyond a doubt that the Board of Works are responsible for the scheme. Are they not responsible for the official they sent round? Are they not also responsible for the appointment of the Local Drainage Board? No denial on the part of the right hon. Gentleman will absolve the Board of Works from responsibility for this terrible muddle and this mismanaged scheme. If it be proved to the Committee, as I think it has been proved to demonstration, that the charge of 9s. 6d. an acre would have to be met by the present occupants, what then are the Government going to do? My hon. Friends do not ask the Treasury to wipe off this £100,000 at once, though they have a just claim to do that—all they ask is that the right hon. Gentleman will order an inquiry on the spot into the entire circumstances of the case. Surely nothing could be fairer than that. Hon. Members from the South of Ireland, with myself, pressed the question of Ballycotton Pier upon the right hon. Gentleman. The Chief Secretary at first refused to do anything, but after he had visited the spot the Commissioners made a Report in favour of doing part, though not all, of what we asked. That was the result of an inquiry on the spot by the right hon. Gentleman, assisted by a capable man, an independent expert, on behalf of the Board of Works. I think my hon. Friends will be justified in dividing the Committee, considering the terrible grievance suffered by those whom they represent, and if they do not get redress this Session, I hope they will persist in pressing the matter on the attention of the right hon. Gentleman until justice is done to the inhabitants.

(6.4.) DR. TANNER (Cork Co., Mid.): I think we are justified in pressing the

right hon. Gentleman upon this point. I agree with my hon. Friend it is very hard to get anything out of the Board of Works. In Ireland, rightly or wrongly, I think the Board of Works is a big jobbing and robbing institution. There you have all sorts of jobbery perpetrated at the expense of the unfortunate taxpayers and ratepayers of the country. This is one of the biggest schemes ever perpetrated by this jobbing Board of Works in Ireland, which have authority to charge 9s. 6d. per acre, and it may reach about 15s. an acre. The right hon. Gentleman in Committee of Supply up to the present year has shown himself considerate when we have been able to make *bonâ fide* charges against any portion of his Department. The right hon. Gentleman referred to the light and airy way in which my hon. Friend the Member for Clare spoke, but I remember that when we pressed the question of Ballycotton Pier upon the attention of the Minister we were sneered at in a similar manner. But when the Grand Jury of the County of Cork, consisting of Tories, took this matter up, the right hon. Gentleman went down to the place quickly. In this instance I understand that the original estimate for the drainage works was £104,000, but the actual cost has been £210,000, and whereas it was stated that the work would not occupy five years, it has taken 10 years. Really, if we were to go into this Vote in a conscientious manner, we should be occupied upon it for the next week. It is not our purpose to delay the progress of the Estimates upon any particular point. I hope that the right hon. Gentleman will give us some small satisfaction, and then we will be able to meet him in a friendly spirit, and get through these Votes rapidly. I hope he will give us some assurance that an inquiry will be granted into this matter. Charges have been made, and it would be better for all parties concerned if there were a simple inquiry.

*(6.10.) MR. JACKSON: I do not understand what good object would be served by an inquiry; further, I do not think we have the power to hold one. I have no desire in any way to stand between hon. Members and their desire for the fullest information, and I say frankly and at once, that I am ready to give any information which hon. Members may desire. If I had the power to grant such an inquiry as that which is desired, I do not see what good purpose it would serve. If hon. Members will specify what further information they want I will most willingly do all in my power to get it for them.

(6.14.) MR. KNOX: I do not think the right hon. Gentleman could give us the information which we desire. Take one point. The right hon. Gentleman in the course of the discussion said the fault was that of the engineer.

MR. JACKSON: I did not say that. I said that unforeseen difficulties had arisen.

MR. KNOX: But our point is that the engineering difficulties were not of a kind which could not easily have been foreseen when the estimate was made and approved by the Board of Works. That is a question to which it is impossible to get any satisfactory answer across the floor of the House. The only way of ascertaining that fact is by a local inquiry by a competent person. I thank the right hon. Gentleman for his courtesy in offering all the information in his power; but what we want is some form of inquiry. I will cite the precedent of the inquiry, held in 1886, into the working of the Act for the relief of distressed unions in the West of Ireland. That inquiry resulted in getting at the main facts of the mal-administration. I believe inquiry in the present case would result in getting at the facts. As the question stands, there is a difference of opinion as to who is responsible. There has undoubtedly been a great deal of blundering, for which the tenants of the whole country will have to suffer. We want to fix the responsibility for that blunder. The right hon. Gentleman has tried to put it on the Local Board, but I think he cannot get out of the matter in that way. The Local Board is created by the Board of Works. I will again read the Act.

MR. JACKSON: I do not deny that the Board of Works is responsible for constituting the Local Board, but the Local Board is responsible for its own works and for looking after all the details, and not the Board of Works.

MR. KNOX: But the right hon. Gentleman the Home Secretary appoints

the Prisons Board, but the Home Department is responsible. Surely we know that the various Departments are responsible, though they delegate their powers. The Act says—

"The members of the first Drainage Board shall be named by the Commissioners, by order, constituting the Drainage Board, and such order shall fix the number of which the Board is to consist, the mode of summoning the first meeting of the Board, the qualification of subsequent members of the Board, and the time at which the first and subsequently appointed members are to vacate their offices."

Surely there never was a body in the world more directly the creation of another Board than this Local Board is the creation of the Board of Works in Ireland. We only want to get at the facts. There is a plain question arising: Are the Board of Works responsible for the acts of the body they have created? The facts can only be got at by local inquiry, and in that demand we are backed by a resolution of the Grand Jury of the County Fermanagh, who four years ago demanded such an inquiry as we are now demanding. I venture to hope that the right hon. Gentleman will make us some satisfactory answer. If he refuses, we can only draw the conclusion that the Board of Works have from the beginning of this matter been jobbing the public money, laying such a terrible burden upon the people that they are afraid to open the inquiry.

MR. JACKSON: I am very sorry that the hon. Member has made these charges, for I think he ought to have some regard to the reputation of the permanent officials, who endeavour to do their duty. They are unable to defend themselves against these charges. I feel unable to grant the inquiry for which the hon. Gentleman asks, but I invite him and his friends to be good enough to state the information they require, and I will undertake on my part to supply it if it is in my power.

(6.30.) MR. JORDAN: The right hon. Gentleman is willing to give us something which we do not ask for, but will not give us what we do ask for. If he will not give us a sworn inquiry, will he give us one without the oath? If a man cannot state the truth save upon oath I am not much disposed to believe him upon oath. We do not want anything unfair. We are actuated by no hostility; all we require is an inquiry into this exaggerated and enormous outlay; we wish to know where the responsibility lies. We ask—though it is going rather far—whether he will consider the matter with a view to its being settled before the end of the Session?

MR. JACKSON: If there is any information to be obtained which I can put into a shape in which I can give it, all I can say is that I am ready to consider the means of getting it.

MR. KNOX: I have not made the charges of jobbery on my own authority, but on the authority of gentlemen of the County of Fermanagh, who say that they are prepared to come forward to substantiate their charges against the Board of Works; and if the Board of Works care for their reputation for honesty they will not stand in the way of this inquiry.

(6.35.) The Committee divided:—Ayes 94; Noes 144.—(Div. List, No. 367.)

Original Question again proposed.

(6.45.) DR. TANNER: I wish to call attention to the way in which this Vote tends to increase each year, without conferring any increased benefit on the Irish people. For the year 1890-91 the amount is put down at £25,511, and anyone looking at the appropriation accounts will see that the Vote has been steadily on the increase. I should like to have some information as to the stores accounts, which have been reported on in a manner showing that something ought to be done in the matter. I hold in my hand the Report made by the Auditor General, and also that made by the Exchequer and Audit Department, which show that the general administration of Mr. Parker is very faulty and lax. In the Committee of Public Accounts on which I have had the honour to serve, the audit of the Public Works Office of Ireland raised a Debate year after year. In fact, a great portion of the forenoon was frequently spent in trying to rectify various points in connection with that office. It is stated in the Report I have before me that in 1888-9 the Board of Works undertook to have a more effective control over the stores under their charge, and that has not been done yet; and it is

added that, with a view of ascertaining whether that undertaking had been carried out, the officers of the Auditor General's Department were ordered to visit certain store depôts in Ireland in order to inquire into the method of keeping the accounts. The result of that investigation was that the Kingstown Depôt alone showed any sign of an efficient control being kept over the stores; while in all the other stores the system had undergone no change. This is a Department which, it is said, does not stoop to jobbery, and yet in regard to this question of stores the officials do not seem to know what they have under their charge. The Report goes on to call the attention of the Board of Works to the failure at the depôts mentioned to adopt a complete plan of keeping the accounts at the depôt in a uniform manner. In the Report having reference to the Exchequer and Audit Department, it is stated that, while recognising with satisfaction the efforts made in the Kingstown Depôt towards instituting more effectual control over the stores, it was reported that no steps had apparently been taken to extend that system to the other depôts. It would consequently appear that on this question of stores the Department has, generally speaking, been very lax in the performance of its duties. I should like to hear what the right hon. Gentleman the Secretary to the Treasury has to say on this subject.

(6.52.) MR. JACKSON: The hon. Member has raised two questions, the first being that there is a tendency to increase this Vote year by year. The hon. Member is not strictly accurate in that statement, because I find that, as a matter of fact, the Vote is slightly less this year than it was last year. Moreover, the attention of the Board of Works has been given to the question the hon. Gentleman has raised in reference to the stores. I have no doubt he is correct in his allusion to the superior method of keeping the accounts adopted at Kingstown, and that is probably accounted for by the fact that that is one of the chief depôts in the country. I quite agree with the hon. Member that it is very desirable that the best system should be devised and adopted for the care of the stores.

DR. TANNER: It would appear that most of these young Inspectors employed by the Department are very unsatisfactory officers. I should like to know how they are appointed. Are they appointed by the Lord Lieutenant or the officials at Dublin Castle, and have they to pass an examination, or are the appointments open to the general public? Are they appointed because of their knowledge of the business they have to do, or is their appointment, in reality, part and parcel of a Dublin Castle job?

MR. JACKSON: I believe they are appointed because of their special fitness for the work.

DR. TANNER: Do they pass any examination?

MR. JACKSON: Yes; they pass an examination.

DR. TANNER: Is it a competitive examination?

MR. JACKSON: I think not.

COLONEL NOLAN (Galway, N.): I should like to ask a question as to the appointment of local engineers, and whether anything has been done to cheapen the cost of inspection by the employment of local engineers instead of having them sent from Dublin? The right hon. Gentleman will remember that I drew his attention to this matter last year.

MR. JACKSON: Yes; the hon. and gallant Member did draw my attention to this matter last year, and I called the attention of the Chairman of the Board of Works to the subject. I asked him whether it would be possible to employ local engineers to a larger extent than hitherto, and he pointed out that there would be a difficulty in obtaining the requisite men in all cases in the immediate locality demanding inspection, but there appears to be no indisposition on the part of the Board to employ local engineers where it is advisable to take that course.

COLONEL NOLAN: I have in my mind a case in which that course was not resorted to, although there was a local engineer of considerable standing within 15 or 20 miles of the spot.

(7.0.) DR. TANNER: I should like to ask how it comes to pass that there is such a considerable cutting down of travelling expenses under this Vote? I am distinctly pleased to see it, because, usually, this item in connection with Public Departments in Ireland reaches too high a figure. I should like, how-

ever, to know how the reduction comes about.

MR. JACKSON: The explanation is very simple, and, from some points of view, very satisfactory. The travelling expenses are less than they were last year in consequence of a less number of loans having been applied for, and a less number of inquiries and inspections having been necessary in consequence.

Question put, and agreed to.

2. £17,433, to complete the sum for the Registrar General's Office, Ireland.

(7.3.) COLONEL NOLAN: I should like to have some figures from the Secretary to the Treasury as to how much is given for each of these registrations—births, marriages, and deaths—and I should like to know whether there is any difference in the method of registering Catholic marriages and Protestant marriages?

MR. JACKSON: Yes, Sir. Last year the hon. and gallant Member drew attention to this matter, and I brought it under the notice of the Department subsequently. The question was, whether the imperfections in the registration of Catholic marriages were due to any financial inequalities of the payments to the Registrars, and I was informed that that was not the case. I am afraid that if there are any imperfections they can only be remedied by legislation. In the case of marriages celebrated by the Roman Catholic clergy the parties are required to have a certificate, and a fee of 6d. is paid to the Registrar before he enters the certificate on his register. In the case of marriages that occur amongst all other denominations, they are entered in register books supplied by the Registrar General, and the parties are required to forward particulars to the Registrars of marriages, who are required to forward Returns to the Registrar General's Office. No fee is attached to this duty.

COLONEL NOLAN: Is there no salary attached to it?

MR. JACKSON: I think not. In the case of Roman Catholic births and deaths the Roman Catholic clergy are usually the Registrars themselves, and 1s. is paid for the entry of a birth or death under Section 54 of the 26th Vic. For each marriage registration 6d. is charged under Section 21 of the Act, and 3d. is charged for an entry on the vaccination register, where the Registrar is the dispensary medical officer. Where the Registrar is not the dispensary medical officer he is entitled to a fee of 2d. for his services.

(7.8.) COLONEL NOLAN: I certainly think the fee ought to be raised. But is it not possible that the registrations are imperfect, owing to negligence on the part of the clerks? There are some marriages, I am told, that are not registered at all.

MR. JACKSON: I speak without knowledge on the subject, but I gathered from the conversation that followed the discussion we had last year that there was some ground for believing that many marriages are not registered. It is the duty of the parties to send the Registrar notice, but there is no power to compel them to do so. There is no question about the accuracy of the Registrar, so far as he gets particulars, but he has no power to compel the parties to furnish him with particulars.

COLONEL NOLAN: My point is that, owing to the extremely low fee paid, some of the notifications of marriages are not sent by the Registrar. If the same fee were given as is paid in the case of Protestant marriages, I believe that more care would be taken in the registration. I was informed by one gentleman to whom I spoke on the question that he believed there were a good number of marriages that were not registered, and he immediately dwelt on the extremely low fee. He said the fee for registration of marriages ought to be equal to that for the registration of births.

(7.12.) DR. TANNER: I should like to ask whether the amount put down here is the total amount for the taking of the Census, or whether the Constabulary also got a large amount in connection with gathering up the statistics? If the Constabulary got a fee, I should like to know what it amounted to.

MR. JACKSON: I am afraid we have not yet received information showing the total cost of the Census.

COLONEL NOLAN: Has the right hon. Gentleman not received an approximate estimate?

MR. JACKSON: Of course, we made an estimate of the cost. The total cost

we estimated at £22,000. The amount which will come in course of payment during the present financial year we estimated at £15,850.

Vote agreed to.

3. £12,809, to complete the sum for the Valuation and Boundary Survey, Ireland.

COLONEL NOLAN: There are three or four counties of Ireland which have been surveyed, and of which large maps are being prepared. I should like to ask when we may expect these maps to be finished?

MR. JACKSON: I am afraid I cannot give any definite information, but I may say we have increased the amount this year in order to make more rapid progress.

COLONEL NOLAN: Can the right hon. Gentleman say whether the maps or a portion of them will be published, say in a year's time?

MR. JACKSON: Will the hon. and gallant Member specify the counties?

COLONEL NOLAN: Galway, particularly.

MR. JACKSON: I will inquire.

Vote agreed to.

CLASS I.

4. Motion made, and Question proposed,

"That a sum, not exceeding £155,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Erection, Repairs, and Maintenance of Public Buildings in Ireland, for the Maintenance of certain Parks and Public Works, and for Drainage Works on the Rivers Shannon and Suck."

(7.18.) MR. JORDAN: Earlier in the evening I stated that the officers of the Local Government Board are incompetent to initiate any proceedings or to execute any work, and I reiterate that upon this Vote. For the most laudable objects they refuse to do anything; or, if they do anything, they do it so badly that it would be better undone. At other times, for purposes not so laudable, they indulge in a most lavish expenditure. They cannot even make a correct estimate. For instance, in the case of barracks, their original estimate was £18,605, but there have been additions and alterations, for which £11,000 is taken. Again, the sanitary works were estimated at £2,000, but there have been additions and alterations costing £1,000, half as much again. For electric lighting they estimated £10,400; but additions and alterations have cost £4,808, and so it was throughout the Vote. Surely the engineers of the Board of Works ought to be able to estimate with some degree of accuracy. The Board of Works in Ireland rarely ever finish anything they take in hand, and I rose particularly to complain of the action of the Department in regard to the pier at Liscannor, in West Clare. Under the Relief of Distress Act, 1880, the Board of Works made some additions to the pier. It was thought they would make a harbour, but in reality they have only made a pond for ducks to swim in. They have made a complete muddle of the pier. There has been silting up, with the consequence that only vessels of very small tonnage can be loaded there. Messrs. Tuke & Maxwell, of Manchester, and Messrs. Hampson & Co., of Huddersfield, have opened up in the neighbourhood two very valuable flag quarries. These firms memorialised the Lord Lieutenant concerning the condition of the pier. They pointed out that if the harbour were completed, they would be able to ship 1,000 tons of flags a week, to employ 500 workmen, chiefly natives, and to pay between £30,000 and £40,000 annually in wages. It is only those who know the district who can appreciate what such a large sum in wages would mean to that district. The harbour resembles a dry dock more than anything else, and in the interest of my constituents and of the trade and commerce of the district, I ask the Government to finish the work they have begun. What is the use of a pier if there is no harbour? We ask the Government to complete the harbour so that an industry of importance to the district may be carried on with success. I also desire to direct attention to the condition of the Seafield Pier.

THE CHAIRMAN: There is no provision in this Estimate for this pier, and it is not competent for the hon. Gentleman to enter upon the consideration of new works.

MR. JORDAN: These are works which the Government have not finished. A contractor named Mahoney undertook to construct the pier, but

failed to complete the work. The Government have not paid him for what he did. He claims £400. Last year they offered him £8, and now they offer him £38.

THE CHAIRMAN: Such a question cannot be raised on this Vote.

MR. JORDAN: I abstained from mentioning these things on another Vote; it seems I have lost my opportunity of raising them. Perhaps, however, I may be permitted to refer to other items. I see that £8,000 and £1,600 additional are taken for a "map store, with fittings," and £2,000 is set down for the "Clare Slob Lands, Road and Fence and other Works." £2,000 is a large sum to spend on such objects. I really do not see why the cost of these roads and fences should not be put on the county. Then £4,409 is to be voted for "Dublin Castle Residences and Chapel Royal." I do not see why you should put these together except on the old principle of Church and State. What do you want with a Chapel Royal at all? You have two magnificent cathedrals in Dublin, and I think the Lord Lieutenant or his household would be well enough served by one or other of them. £2,772 is asked for the "Maintenance and supplies" of the Viceregal Lodge, Gardens, &c. That must be a very comfortable residence when so much is required for its maintenance. The cost of the maintenance of the Chief Secretary's Lodge is estimated at £864, and that of the Under Secretary's Lodge, £416. £212 is required for the Geological Survey Office; but I would advise the abolition of the Office unless it is more efficiently conducted. Allowances are made for horses, but in one case I notice the allowance is £40 and in another only £20. A horse is a horse, and I should think the same amount of food ought to do one horse as another. There is an item for handy men. You have carpenters, glaziers, stonemasons, gardeners, and other artisans, and then you have handy men. What they do, except being handy in spending money, I do not know. You have an organ-blower, but I do not know where the organ is that he blows. There really ought to be more care exercised in the preparation of these extracts. Let me again point out that an estimate is made in the first place, and then large sums spent in alterations and additions.

MR. JACKSON: If the hon. Gentleman will look at the Estimates he will see one column relates to the total estimated cost of the works, and the other column to the amount it is proposed to spend during the year. There are no additions.

(7.35.) MR. FLYNN: I hope the Secretary to the Treasury will not be panic struck at the mention of Ballycotton Pier, concerning which I want some information. It is about 12 months since we heard from the Government how the pier is getting on, but quite recently Mr. Wolff Barry made a most comprehensive report concerning the structure to the Board of Works. That gentleman made four recommendations. In the first place he recommended that the pier head should be strengthened, and that the readiest way of doing that was to surround it with stout galvanised iron. I believe that that has not been done. Secondly, Mr. Wolff Barry recommended that certain cavities in a certain number of the upper tier of blocks should be filled by bags of concrete. Of course, if the local Clerk of the Works had done his duty properly, and if the Board of Works had exercised proper supervision, these complaints would not be made. In the opinion of experts the work is one of the least discreditable of those for which the Board of Works are responsible, it is one of their best pieces of work on the South Coast. The right hon. Gentleman has himself seen the work, and he knows that I am speaking from plans and facts, and am not relying upon imagination. Large sums of money have been spent upon the work, and it would be lamentable if a public work of great utility should fail from defects of detail when they could be remedied at comparatively small cost. Mr. Wolff Barry called attention to the defective character of the "hearting"—filling up between the masonry. After heavy rains or storm from the south-east when the sea dashes over the pier, the water lodges in the depressions caused by subsidence. This is bad for the fishermen's nets, and bad for the stability of the structure itself. In the original specifications this was provided for by a fall outwards of 1 in 14.

Another recommendation has reference to the depth of water outside the old pier, and this, I understand, has been attended to. I should be glad to know if the work is finished. I should be agreeably disappointed to learn that the Board of Works have dealt with the other points in Mr. Wolff Barry's Report. With every desire not to touch on the good humoured toleration of the right hon. Gentleman, so long as we have reason to suppose that any of these defects remain unremedied so long shall we have to press these matters upon his attention. Also, I should like to ask before we pass from the subject, if the Grand Jury have taken over the pier or not. With substantial grounds for their refusal the Grand Jury more than once declined to take over the pier and to be responsible for its maintenance. They alleged the work was incomplete. In this connection it should be borne in mind, as has been before observed, the Grand Jury is not a revolutionary body, and is unlikely to act in what I suppose the Chief Secretary would consider the spirit of "cussedness" animating a Nationalist representative body. The Grand Jury is composed of gentlemen of the landlord class and others not prone to act in opposition to a Government Department, so that the defect must have been serious when they refused to take over the pier. Then, on the other side of the bay, I may mention the boat slip at Knockadoon, in relation to which the Grand Jury have had a great deal of correspondence, some 75 feet of the concrete have been washed away, and this, as in the case of Ballycotton Pier, is due to the defective state of the "hearting" used by the contractor; indeed, I understand that instead of a specified class of stone or rubble being employed ordinary earth was used, with the result that the wash of the sea caused the blocks to fall in, with danger of the whole structure going to pieces. Then, some 12 months ago, we drew attention to the works at Greystones Harbour, and here I have no recent information, though recently I noticed a letter in a newspaper commenting on the neglect of the Board of Works. In the recent Report of the Board Greystones is mentioned as one of the works practically complete and about to be handed over to the Grand Jury. I know that much local dissatisfaction has been expressed at the way in which the Board of Works ignored local opinion in relation to the design and works, and, indeed, this is one of the cardinal and besetting sins of the Board exemplified all round the coast. At this Greystones Harbour, I believe, in the first instance, the work was undertaken by a contractor, Mr. Taylor, who worked away for a year upon plans universally condemned, when he failed, and Mr. Brown then took the contract and hammered away for another year. Greystones is favoured with deep water close in shore, and in the opinion of local experts what is required is the construction of a groyne on the north side to prevent the silt up of shingle from the heavy seas from the north-east, and the works on the south side are not required. But it would seem that the Board insist upon doing the very thing local experts declare should not be done.

MR. JACKSON: I do not know if the hon. Member is aware of it, but the required work has been undertaken.

MR. FLYNN: I am delighted to hear it. Passing from Greystones I desire to ask for a little information which perhaps the Chief Secretary would be better able to supply, in reference to the item "Repair and maintenance of constabulary barracks." This Vote covers what I do not hesitate to call so much jobbery that it is necessary to ask for information on many points. The amount asked for under the head of constabulary barracks is £4,360 as compared with £3,733 last year. In relation to this question of barracks I, some months ago, asked questions of the right hon. Gentleman as to the erection of new barracks at Teelin, and at the village of Taur, in my constituency. I was informed no such barracks were being constructed, but in this case, as in reference to other parts of Ireland, we have good reason to complain of the evasive and incorrect character of the information furnished from official sources to Ministers in this House. I was informed there were no such new barracks being constructed. My question was prompted in connection with the administration of the Coercion Act, and the commentary furnished on the result of the administration of that Act, the necessity for further barrack accommodation. I was told that no such

new barracks were being constructed. But this was a mere quibble in reference to Teelin, for, as a matter of fact, a new building has been erected into which the contractor has removed, and his house has been converted into barracks. Then also at Taur I find, as a matter of fact, a new barrack has been constructed. For this misleading information the Board of Works are responsible; they must have known of these new works, and should have furnished the proper information.

MR. JACKSON: I do not think the hon. Member is justified in assuming that. If he knows it it is another matter.

MR. FLYNN: I assume it, I do not make the positive assertion, for I find some difficulty in determining under which head this expenditure is included. I now only ask for information, and do not move a reduction of the Vote.

(8.0.) MR. JACKSON: I think there must be a little misunderstanding. The hon. Member apparently refers to the item, "Constabulary barracks throughout Ireland." That does not refer to new barracks, but to maintenance. Ballycotton Pier is not quite a new subject. The hon. Member may rest assured that the structure is in no danger. Very careful measurements have been taken from time to time, and there is no cause to apprehend the smallest trouble. In the opinion of those competent to form an opinion, there is no movement, and all the work is good and substantial. The hon. Gentleman has asked whether the Grand Jury have taken over the pier. I have said already, on several occasions, that the pier has been handed over to the Grand Jury. The Board of Works after giving proper notice, have power to hand the pier over, and that power has been exercised.

MR. FLYNN: To offer is one thing, to accept is another.

MR. JACKSON: The Board of Works have given the proper notice, and the maintenance rests with the Grand Jury. I do not anticipate there will be any difficulty about the matter. It is a lasting piece of useful harbour work. The old foundations have been removed, and with satisfactory results. As to Knockadoon boat-slip, the full particulars are not in my mind just now, but if I remember rightly the question was raised on a previous occasion in some form. There was, I believe, some defect in the concrete; from some unexplained cause, the cement did not turn out as expected, but that, I understand, has been effectually remedied.

MR. FLYNN: I am glad to have this information in reference to Ballycotton Pier. Of course, time alone can show if what is necessary has been done. In relation to the barrack buildings, I do not find the entry I want.

MR. JACKSON: The only new buildings will be found on page 60, in the total amount of £11,200. I have no recollection of new buildings in the places mentioned by the hon. Member. Possibly it may be that the buildings are only rented.

MR. FLYNN: I am informed that in the one case the contractor moved into a new building, and his house was then used as a barrack, and in Taur a new building was erected.

(8.15.) MR. P. J. POWER (Waterford, E.): In many cases the Grand Jury are adverse to taking over these piers, because they say they have been improperly constructed. I do not know whether the Board of Works at present have any power to see that when the works are handed over to the Grand Jury they are kept in proper order. In all matters affecting the sea, it may be said that a stitch in time often saves nine. I trust that where work has been satisfactorily done in the first instance, the Board of Works will see that it is properly preserved. I can understand in some cases the Grand Jury objecting to take over defective works; but, in the interest of the ratepayers as well as in the interest of the localities, the Board of Works would do well to see that the works which are taken over are properly maintained. I should like the right hon. Gentleman to tell me whether the East Passage Pier, which is in my constituency, has yet been handed over to the Board of Works. Further, I should like to ask the right hon. Gentleman a question as to the Naval Reserve Station at the village of Tramore, in Waterford. When I was last there I saw no signs of work going on, and I should, therefore, like to know when it is likely to be set on foot. I must say that one of the most important things to render such a station efficient

would be that you should have some sort of place where the men can launch a boat without danger to their lives. I have already called the attention of the right hon. Gentleman to this matter, and he has informed me that he can hold out no hope that a pier will be constructed at Tramore; but I would point out that Naval Reserve men have to go there for practice at certain periods of the year. I do not know how these men have been able to put out their targets owing to the want of a harbour. The surf runs so high there that on the majority of days during the winter season it is impossible for anyone to venture out in a boat with any degree of safety. I maintain that it is the duty of the Board of Works to keep up this pier. The people in the locality subscribed a large sum of money for the erection of the pier, the balance being given by the Board of Works. The construction of the pier was carried out by the Board of Works, but so defective were the plans and the works that the pier was swept bodily away, and the money spent on them has been literally thrown into the sea. The works have ceased to exist and are now at the bottom of the sea. I am anxious to know the exact site where the naval station is to be erected. Has the contract been entered into, who is the contractor, and at what date may we expect the works to be commenced? I think, sometimes, that the Board of Works might use a little discretion as to the time of the year when they commence their works. Very often they commence them at improper seasons. I also think that the time for drilling the men should be changed. The Naval Reserve in that district, as well as in others, should be brought for drill when employment is scarce, and when the men are least wanted for purposes of trade.

(8.23.) MR. JACKSON: With regard to the East Passage Pier I believe it has been completed, and will soon be handed over. As to the Naval Reserve station at Tramore, I understand that a contract has been entered into for new work, but that work has not yet been commenced. It is not usual to commence work until the Vote has been taken. The hon. Member asks me if we will construct a pier at Tramore, and in reply I have simply to say that we have no money for the purpose. The pier was constructed 30 years ago, and I am afraid it was neglected and has suffered in consequence. But the question is entirely one for the locality, as we have no money at our disposal for such work.

MR. P. J. POWER: I am sure that if the right hon. Gentleman saw the condition of the place, and was acquainted with the conditions under which stores have to be landed there, he would see the absolute necessity of doing something. A tender comes round from Cork periodically and is obliged to land men and ammunition at Tramore. I have often seen men put off in a boat to take people to the ships, but return again unable to make a passage. In this Bay I suppose more wrecks take place than at any other part of the southern coast. We have a lifeboat there, but it is a very risky thing to launch it in bad weather. I have myself assisted in launching it, and have been considerably knocked about, whilst I have seen other men seriously injured.

(8.26.) DR. TANNER: I should like some information as to what are the "repairs and alterations" which are said to be made in the Ordnance Survey Office at Cork. £1,000 is taken for these repairs and alterations at Limerick and Cork, and I want to know the precise character of the alterations. I also want to know who is the contractor, and when the contract is to be completed? I see that at last we have got something done in connection with the Dundrum Criminal Lunatic Asylum. For the last two years the place has been tinkered with, and very little has been done. According to the medical reports the sanitary condition of the establishment has been anything but satisfactory, therefore, I am glad to see that £1,000 is to be spent on it this year, the total estimate being £2,000. I should like to know whether it is proposed to complete all the works necessary to put the asylum on a satisfactory sanitary footing. It seems rather amusing to me to find that this year we are passing a Vote of £150 to enlarge the fern house at the Botanical Gardens, Dublin. We have hammered and hammered and hammered away at the Government for this Vote for years, and now we have got it. This shows that although we may appear rather tedious in making

our demands, by our persistency we serve a very useful purpose, and act as a stimulant to Her Majesty's Government, who otherwise would not be able to get on at all with the works we wish to have carried out. Another thing I want to ask is, why, when contracts are given out in the South of Ireland, the condition is not laid down that the contractor shall employ local labour? When a contractor brings men into a district from a distance it creates great jealousy and impedes work. The landlords make application from time to time, and they are constantly granted, while we, who are not landlords, but simply the representatives of the people, make applications on behalf of our constituents, and find that in the words of the popular song, "It may be for years, and it may be for ever," that we have to await an answer. In reference to another subject, I see an item of £100 for work in connection with Cork College. As an old graduate of Queen's University, and having been connected with Queen's College, Cork, for many years, I must object to the system of tinkering and patching which is going on there, and is anything but satisfactory. It would be far better to make one complete job of the work, and I am quite sure that that would be a far more economical system. Passing to another point, I wish to ask a question on the subject of the Suck arterial drainage. The late lamented Member for Galway frequently raised this question, which is a very important one in connection with the locality to which it relates. It is a very poor locality, and few persons are aware of the distress and trouble undergone by the inhabitants almost daily and hourly. I should be glad if the right hon. Gentleman would give us some information as to the progress of the Suck drainage works. In regard to another matter—Ballycotton Pier—the Grand Jury took issue with the Government, and Mr. Wolff Barry was ordered to make a Report; but I ask, what is the use of getting Mr. Wolff Barry to make a Report if his suggestions are not to be carried out? It is all very well to say that there has been no subsidence at Ballycotton Pier; but it was found on sounding the pier at several points that the earth was being washed away in consequence of a hollow which existed in the centre of the pier. If hon. Members would take the trouble to inspect the piers around our coast they would see that that coast is being studded with models of the incapacity of the officers of the Board of Works. I really hope that after the time expended in debating the subject of Ballycotton Pier, it will be patched up in such a way as to make it withstand the storms which visit our coast. I have spoken of Glendore, and I am afraid I cannot get much done in that case. I am not sure whether some of the fault is not attributable to the action of the Grand Jury; but if that be so, I ask the right hon. Gentleman to add his representations to my own remonstrance, so that the pier may be available during the fishing season. I now come to Castletown, where I think something ought to be done. The Royal Commission of 1886 recommended certain improvements to that harbour.

MR. JACKSON: That subject does not come within this Vote.

DR. TANNER: I am aware of that; but I wish to be allowed to make a brief appeal on behalf of the inhabitants of Castletown, where there is a splendid deep-water channel running up a fine natural basin. The old pier there is practically useless, although the Royal Commission called attention to the subject in 1886, and although the Lighthouse Commissioners sanctioned the creation of a lighthouse there nothing has been done. I hope the right hon. Gentleman will see that something is done next year. I would also ask whether something cannot be done to render the pier at Lewisburg, in County Mayo, more useful? Although a great deal of money has been spent upon it it is practically useless at present. It is possible, however, to render it useful by a little further expenditure, and in that case it would be of the greatest benefit to the fishing population of that district. I would also ask the kind consideration of the right hon. Gentleman on behalf of the large fishing population on the south side of the Island of Achill. It would be an enormous boon to the people of that district if something could be done to enable them to reap the rich harvest of the sea which is available on that part of the west coast. It would be far more to their advantage to

improve their facilities for sea fishing than to spend large sums of money on the population of what is called a congested district. (8.45.)

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.20.) MR. WEBB (Waterford, W.): There are a few observations I think it right to make upon this Vote. In the first place, I notice there is a reduction in the expenditure upon the harbour of Howth, and in regard to this I would observe that this is a harbour of increasing importance. For many reasons it is being more frequented by fishermen, and more and more is it becoming a place of resort for packets and visitors. I therefore hope there is no intention to effect a saving here, with any risk to the efficiency of the harbour. It is not many years since there was good reason to complain that the condition of the harbour was not such as it should be, and I hope that this reduction will not tend to any neglect of the harbour, for that would be a penny wise and pound foolish policy. Next I would refer to what I must call some unprofitable expenditure in connection with the new and handsome Science and Art Buildings at Dublin, of which the city may be proud, but I notice in the Estimates an item of £500 for a screen and gateway. Now, this is a most unfortunate addition to the building, this gateway in Molesworth Street. It is difficult to understand how the architect of such really beautiful buildings could dwarf and spoil the effect by such an addition. I would certainly rather vote the money to have it removed. Then there is an amount of £8,000 for the map store and fittings in connection with the Ordnance Survey Office. I would strongly urge the rapid completion of this work, for at present, if any particular map is required, the delay is excessive and most vexatious. I hope with the completion of the arrangements we shall have a better system, and that it will not be necessary that all maps should be procured from one agent in Dublin. I would desire to call attention to the item of £336, less the rest of rent of a house for the Deputy Ranger of the Curragh of Kildare. If such a sum is necessary for the Deputy Ranger, one feels some curiosity to learn what the payment to the Ranger is. What Vote that comes under I do not know. The Curragh of Kildare is common land; it does not require the care given to the Phœnix Park, and yet the bailiff of Phœnix Park receives a smaller salary. Altogether the supervision of the Curragh of Kildare appears to be a costly arrangement, for there are, in addition to above charge, six bailiffs receiving from 12s. to 21s. per week each. These are all the remarks I have to make with reference to this Vote.

(9.26.) MR. JACKSON: There will be no neglect of Howth Harbour. The entrance has been dredged, and I think there is now no cause for complaint. As to the Deputy Ranger of the Curragh of Kildare, I must confess the details have not come to my knowledge. As to the increase in the Vote for Ordnance Survey, that is due to the necessity for providing for the accommodation of the larger staff now engaged in the Ordnance Survey in Ireland. With reference to the expenditure at Dundrum Asylum, the £1,000 this year is part of the £2,000 estimated for improving the sanitary condition of the buildings. [The remainder of this speech was inaudible in the Gallery.]

(9.33.) MR. KNOX: I notice that the amounts put down for the repair and maintenance of the harbours of Donaghadee and Ardglass are rather smaller than those put down in previous years. So far as I have been able to judge, there is need for even larger expenditure upon Ardglass Harbour than has been hitherto made, if the harbour is to be maintained in any sort of efficiency. A railway is now being made between Ardglass and Downpatrick, and it is very desirable there should be ample harbour accommodation in connection with the railway. A great deal more money has been spent on the Ardglass Harbour than the harbour is worth; but, apart from that question, it is well that such a sum should be spent as will keep it in proper repair. There is one other point on which I should like information from the Secretary to the Treasury. I am anxious to know whether the Resolution proposed by the hon. Member for Poplar (Mr. Buxton), and accepted by the House, as to all Government contractors being required to make

a declaration that they pay the standard rate of wages, is to be applied to Ireland, and, if so, in what way? There may be some difficulty in applying that rule to Ireland, where the standard rate of wages is lower than that in London; but I think something should be done in the direction of requiring the declaration referred to in the case of Irish contracts. It is an undoubted fact that many contracts in Ireland are taken much too cheaply, with the result that the cheapest labour is employed.

(9.38.) MR. JACKSON: As to Donaghadee Harbour, I agree something ought to be done. There has been some silting up, but I do not know that there has been any great inconvenience, as there is not much traffic there. There was a difference of opinion as to the work necessary, and it seemed to us very undesirable we should begin to do anything unless it was going to be accepted as satisfactory. As to Ardglass, when I was there I was told that the one thing necessary was a railway. Now, the hon. Gentleman says it is absolutely necessary we should enlarge the harbour. I am aware of the condition of the harbour, and probably some day it may be necessary to do something. I believe there are one or two other places which have a prior claim. I am not possessed of information as to the application of the Resolution proposed by the hon. Member for Poplar to Ireland, but I will make inquiries. I do not know that we have gone so far as to set up any particular standard, but it would not be unreasonable that we should take the same course in Ireland, as far as the circumstances are similar, as we take in England.

(9.42.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I was glad to hear what fell from the right hon. Gentleman on the question on contracts. The Secretary to the Treasury will recollect that the Resolution accepted by the House was not intended by any means to be confined to England, but was to extend to all public contracts in whatever part of the Kingdom they may be made. There may be some difficulty in certain cases in discovering what is actually the standard rate of wages, but at all events——

MR. JACKSON: The hon. Gentleman will bear in mind that "standard" was not the word used, but "current."

MR. SYDNEY BUXTON: Yes, "current." It may be somewhat difficult to discover that, in places where Trades Unions are not strong, and where current rates are not fully recognised; but, at the same time, I think the Board of Works should be held as responsible for carrying out the Resolution in Ireland as the Department is in England. When any contract is given out we should know what wages are going to be paid.

MR. JACKSON: As to general contracts, there is no specified rate of wages. The question of wages only arises in the case of particular contracts, such as those for buildings.

MR. SYDNEY BUXTON: In the case of maintenance and repairs, for instance, labour will form the principal part of the contract. I trust it will be quite as possible to carry out the object of my Resolution in Ireland as it is in England.

MR. KNOX: The right hon. Gentleman met the matter in a very conciliatory way, but I should like to have something more. In some parts of Ireland it may be difficult to discover what is the current rate of wages, but there are other parts of the country in which it is quite as easy to discover that as it is in England. In Belfast, Dublin, and Cork—especially Belfast—labour is quite as well organised as it is in any part of England—in some trades, at any rate. A new constulary barracks is to be built in Belfast. That will be built by contract, and one of the main items will be labour. I think that just as the quality of the bricks used is specified in the contract the rate of wages paid should be specified, so that in the course of the work the Government can receive penalties from the contractors if they find labour is being paid worse than it is usually paid.

(9.48.) DR. TANNER: I confess it is difficult, owing to the form of the estimate, to arrive at any definite conclusion as to what is being done; but, at all events, I am convinced that a great deal of money is uselessly spent. £4,409 is asked for the Dublin Castle Residences and the Chapel Royal, as against £3,855 taken last year. I cannot make out why more money is required this year than last. But, in any case, the Chapel Royal is of very little use. Occasionally you have a fashionable service there; but as

an Irish Protestant, I think the Chapel might be done away with. I also think too much money is spent on Dublin Castle itself. I could well understand large sums of money being voted in Committee of Supply for the maintenance of Dublin Castle when it was used as an examining establishment for the Queen's Universities, and subsequently for the Royal University; but now you have got new Royal University buildings, and there is no longer any necessity for Dublin Castle to be used as an examining institution. £3,856 is asked for the Viceregal Lodge and Gardens, as against £3,889 last year. I cannot understand how it comes to pass that there it less money spent on the place occupied by the Lord Lieutenant than upon Dublin Castle, a place very seldom used. The Chief Secretary does not very often favour our green island with his presence, but, all the same, his residence has to be kept up, and for the Chief Secretary's Lodge and Gardens, &c., we are called upon to provide £864. The utensils at the lodge seem to wear out very quickly, because for utensils and fittings and furniture we are asked for £217. We cannot object to cleaning, but £120 seems a very excessive amount for such a purpose. In all, £1,201 is asked for the right hon. Gentleman's lodge, as against £1,245 last year. The Chief Secretary was hardly ever in Ireland last year. It is true there was a little golfing, and the right hon. Gentleman paid one or two visits in connection with that game and also in connection with the administration of the Coercion Act. This year, however, he has been more frequently in Ireland, and yet I find a less sum is asked for the maintenance of his lodge. I want some explanation respecting this expenditure, and unless I receive it and consider it satisfactory I shall feel obliged to move to reduce the Vote by £500—I will allow £364. I also wish to receive some information respecting the preservation of ancient monuments. £250 is asked for in regard to ancient monuments, and I am anxious to know to whom the money goes. I also want to know what is being done to preserve the splendid national monuments at Achonry, which are rapidly decaying? Only the other day questions were asked concerning the preservation of the monuments of Egypt. Charity begins at home, and I and my colleagues, who come from a country that is full of historical relics, wish to have our relics preserved for the benefit of those who delight in the investigation of antiquarian monuments. I also wish to know what is being done in regard to the interesting monuments at Clonmacnois on the Shannon and the round tower at Clones. Another point I have to raise relates to the stupid gate that has been put up at the entrance to the Science and Art Buildings in Dublin. You have erected very fine buildings, but the gate makes them look ridiculous. The sooner you clear it away and erect something in keeping with the immediate surroundings the better. We are pretty fair judges of what ought to be done; and if it is not done, why, we shall hammer away until we remove the obstruction.

(10.0.) MR. LABOUCHERE (Northampton): I shall have great pleasure in supporting the hon. Member if he does move a reduction of the Vote by £500. I have often complained of the money spent upon this residence in Dublin, although I have seldom had the support of hon. Members for Ireland, for they seem to think it is an advantage to get all the Saxon money they can for Ireland. It would be wiser, I think, if they were to consider these matters in a broader view, whether the money is wasted or profitably spent, and if they joined us in our protest against all wasteful expenditure. It must be admitted, I think, that this expenditure is excessive. For the maintenance, furniture, and utensils of this building the cost is £10,400 a year; and all this is to lodge five gentlemen, one of whom is certainly for the greater part of the year elsewhere, and does not, I suppose, spend more than 30 days out of the year in Ireland. The Viceregal Lodge is not far from Dublin Castle, and it is an absurdity to have two buildings maintained not more than two miles apart at this large expenditure. I can guarantee the hon. Member that he will not get a satisfactory answer, and I hope he will carry out his intention to move a reduction of the Vote. If he does divide I shall certainly vote with him.

(10.5.) DR. TANNER: I press for an answer to the questions I have raised, and for assurance in respect to the Chief

Secretary's Lodge. The lodge is seldom occupied, and I ask how it comes to pass that a larger sum is expended upon it than upon either of the Queen's Colleges. How does it come to pass that so much more money is required for Dublin Castle this year than last year? To emphasise my questions I move a reduction of the Vote by £500 under Subhead C.

Motion made, and Question proposed, "That Item C, Maintenance of the Chief Secretary's Lodge, &c., be reduced by £500."—(*Dr. Tanner.*)

MR. JACKSON: The hon. Member can hardly think it is possible to maintain these important buildings for precisely the same amount every year. The reason why a larger amount is charged for Dublin Castle this year than last year is that a system of alterations and repairs has been going on for several years, and this year it will be finished. As to the Chief Secretary's Lodge, when I was in Dublin I went most carefully into the expenditure, and I am bound to say that, as far as I am able to judge, it is not possible to reduce the amount. Whether or not the house should be kept up is a matter of policy, while we do keep it up, it is economical to maintain it in repair.

MR. MORTON (Peterborough): So far as I can understand, this is Imperial money wasted. It does seem to me sometimes that Irish Members are quite satisfied so long as public money is spent in Ireland, but I look upon this as a matter of principle; it is our duty to prevent the waste of public money. I could understand the expenditure if it were the habit and policy of the right hon. Gentleman to reside for a certain part of the year in Ireland. No such charge as this arises in relation to the government of Scotland, and I believe the government of Scotland is more satisfactorily administered. I hope a Division will be taken as a protest against the expenditure. There is no excuse or explanation for it, and our duty to the taxpayers requires we should do what we can to wipe away this expenditure.

(10.10.) MR. FLYNN: I support the protest for the reason that all these items in the Estimates are charged in the accounts as against Ireland. Although it may seem strange for an Irish Member to object to the expenditure of Government money in Ireland, yet, when we reflect, we find there is no guarantee that the money is spent to the advantage of Ireland or that we get the value of it. We shall in a short time, if the Government adhere to their pledge, have an inquiry into the financial relations between the three Kingdoms, and in the general reckoning Ireland will be debited with these items as payments from the Imperial Treasury, and it is our duty as economists and Irish Members to keep these items down to a reasonable amount. The Secretary to the Treasury does not understand the items, and I am sure the Chief Secretary could not explain the meaning of £270 odd for utensils. A lump sum, once for all, for furnishing the lodge we could understand; but year after year these amounts are paid, and we are forced to the conclusion that it is systematic jobbery, and we may be quite sure that a considerable part of the money percolates into the pockets of people who do not appear in the matter. In my opinion, a large amount of the money voted under these heads for expenses of the Lord Lieutenant and the Chief Secretary is jobbed away in a highly respectable manner, and nobody connected with the Board of Works knows exactly how. The system is handed down from Government to Government, and nobody is sufficiently interested in economy to check it. In view of the inquiry into the financial relations between England and Ireland, I desire to see such wasteful expenditure cut down that it may not help to swell the amount set down to our debit, and for which we do not get value.

DR. TANNER: It might save much discussion and many Divisions if, in addition to the Estimates, Papers were prepared for the use of Members showing the miscellaneous items that go to make up these amounts. I am sure it would materially assist our deliberations in Committee of Supply.

(10.15.) The Committee divided:—Ayes 62; Noes 96.—(Div. List, No. 368.)

Original Question again proposed.

(10.27.) MR. T. M. HEALY: To enable us to arrive at the total of the effective charge for Constabulary would

it not be well that the accounts should be so kept that we should see the total charge without a long examination of the various heads? Barrack accommodation, for instance, is charged under the Vote for the Board of Works, and other charges are to be found under the head of public buildings. When we are dealing with the Constabulary Vote would it not be well to have a memorandum showing the items on constabulary account under other Votes, that we may know what the total effective charge is?

(10.28.) MR. JACKSON: If the hon. and learned Member will refer he will see that on the face of the Estimate, Class 3, the information is given.

Question put, and agreed to.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £328,529, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Payments under 'The Tramways and Public Companies (Ireland) Act, 1883,' and 'The Light Railways (Ireland) Act, 1889.'"

(10.30.) MR. T. M. HEALY: Last year the Secretary to the Treasury made a very interesting and lucid statement in regard to the Light Railways Act, and we shall be grateful if he will give us a little further enlightenment now.

MR. JACKSON: The hon. Member's request for a statement rather puts me in a difficulty, because I had expected to have to answer questions. I think I may say generally that pretty good progress has been effected, and, with the exception of two lines, satisfactory arrangements have been made with regard to the construction, maintenance, and working of the lines. I have had Reports from time to time of the progress of the works, and I believe they are all well under weigh now; and it may be reasonably expected that by the end of next year most of the railways will be, if not completed, nearly completed. That will be a satisfactory statement to the Committee, because, as everybody is aware, the work had to be started in a hurry under pressure and to some extent under great difficulties. The object was to meet an emergency, or rather to prevent an emergency arising. Therefore, works were pushed on under provisional contracts so as to give employment. A very large amount of employment has been given. A record has been kept of the number of men employed each week, and for the weeks beginning with the 4th of April and ending with the 4th of July the average numbers of men employed in each of the weeks were as follows:—5,505, 6,056, 5,845, 5,935, 5,339, 5,453, 6,664, 6,085, 6,720, 7,175, 7,395, 7,710, 7,967, and 7,624. These figures show that energy has been put into the work, and that care has been taken to obtain information of all that is being done every week. I believe I am entitled to say that great progress has been made. The engineer writes to me that, on the whole, about 100 miles of line have been brought to the formation level ready for ballasting. He also says that one-third of the rockwork is completed, and 5 per cent. of the brickwork and masonry. And then he goes into detail as to the various lines. I think the Committee may take it from me that, so far, no unforeseen difficulties have arisen. Contractors, Railway Companies, and all concerned have worked cordially to make the undertakings successful.

(10.35.) MR. T. M. HEALY: I think the right hon. Gentleman may, on the whole, be congratulated on the manner in which the works have been carried out. I feel some uneasiness that I do not like to give expression to as to the Clifden line. And, then, there is a matter upon which I had expected some information. Some explanation may perhaps be given by the Government of the fact that they are proceeding with some lines for which Parliamentary powers have not been obtained. Of course, buying land without Parliamentary powers must always be more or less an expensive operation, and I should like to know from the Government whether they can state what are the lines in regard to which they have proceeded without Parliamentary powers, and whether there is any necessity for applying to Parliament to sanction what they have done. I am glad to see that in consequence of the struggle we had last year, the Government have determined to remit the entire claim they were going to make in Galway—some £40,000. As to Donegal, the Chief Secretary has been there, I understand, and pledged

himself to the starting of a particular line beyond those sanctioned by Parliament. Donegal is one of the districts where pressure has been most felt, and the poverty has exceeded anything to be seen, even in Connemara. Strong representations have been made by the Bishop and clergy of that county to the right hon. Gentleman—and, of course, it is for such persons to ask for protection for their people. They have put forward strong complaints as to the action of the Government. I do not myself agree that particular districts have been favoured; but, at any rate, it is not desirable that the suggestion should be allowed to remain unanswered, and that it should be said that because the Chief Secretary went into a certain district something was done for that district, but that nothing was done for those districts which he did not visit. At any rate, the railway which was needed in Donegal has not been forthcoming. I will not comment upon the action of the Government in handing over the control of these light railways to the Great Irish Railway Companies. I will only say that I hope the system they have adopted will turn out well, and that I am pleased to see that they seem to be getting on so satisfactorily.

MR. T. W. RUSSELL: Is it intended that the Mulranny line shall be extended to Achill Sound?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It is a fact that the Mulranny line is to be extended to Achill Sound. The hon. and learned Gentleman opposite says we have undertaken the construction of railways without Parliamentary powers—that is to say, independently of the Act of last year. It is perfectly true that the Government have undertaken some works on their own responsibility and without the necessary powers—the railways to Achill Sound and the Culloney and Claremorris Railway—but the rest of the lines have been carried through entirely in accordance with the legislation the Government were able to carry at the close of last Session. The hon. and learned Gentleman has alluded to the proposed railways in the north of Donegal. We had Debates in the House on that subject at a time when the hon. and learned Member was not able to be present, and I would only point out to him that he is not correct in saying that when in Donegal I promised an additional line; but what I said was that the Donegal system would not be complete until in addition to the railways we had constructed in the south of the county and in the middle to Glenties, there was a line in the north topping the district bordering on the north coast. But I have always found it necessary to add that as we have not only employed all the money at our disposal but have exceeded the amount by £100,000, it is not possible to complete the system now; and, indeed, Donegal has already received its full share of the £600,000 or £700,000 voted last year, and to give it £200,000 or £300,000 more would not be fair to the other counties.

MR. T. M. HEALY: Do you need further Parliamentary powers?

MR. A. J. BALFOUR: As far as the Government are able to determine, it will not be necessary to ask Parliament for further powers, but it will be asked to vote the money required to complete the lines undertaken without Parliamentary sanction. I do not wish to go into the general question of allowing the great Railway Companies to become the proprietors or managers of the branch lines; but, unless this had been done, much greater liabilities would have been thrown upon the counties. There are objections to giving the Railway Companies the management of the branch lines; but, on the whole, considering the burden which would otherwise have been imposed on the districts, and considering also that it is alleged that companies sometimes attempt to starve or squeeze out branches which do not belong to them, I think that the Government have been well advised in taking the great companies into their confidence from the beginning, and asking them to co-operate in the carrying through of this great work.

(10.46.) MR. T. M. HEALY: As to the two lines constructed without Parliamentary powers, is it intended to hand them over to the Midland Great Western Railway Company? I have every sympathy with the action of the Government, and recognising their difficulties, I have not blamed them for what they have done. It is an experiment that has to be tested by results; but as to the Culloney and Claremorris Railway and the

Mulranny and Achill Sound Railway, I should like to ask whether it is also intended to hand those over? If it would be against the public interest for the right hon. Gentleman to answer the question I will not press it.

MR. JORDAN: What is the state of things as to the Culloney and Claremorris Railway. Is it to be handed over?

MR. JACKSON: No decision has as yet been arrived at. The works are progressing and negotiations are going on, but I cannot at present make any statement with regard to them.

(10.49.) MR. FLYNN: As a matter of general policy, I should think it better for these branch railways to be worked by large companies than by small ones. They are better kept and maintained. As to the squeezing of these branch lines, I have seen an example of it in my own neighbourhood. Now, this railway question divides itself into two parts, one including those railways for which the baronies have to pay, and the other including railways constructed out of money advanced by the Government. Take the case of the Schull and Skibbereen Railway, which the Board of Trade was supposed to have inspected very thoroughly before handing it over to the barony. There is an estimated proportion of 2 per cent, or £1,140, to be paid. The railway was handed over in a very bad condition.

THE CHAIRMAN: This point is not relevant to the Vote.

MR. FLYNN: Then I will not refer to the neglected condition of the line when handed over to the Railway Company. I think there has been jobbery in connection with the Tralee and Dingle Line, and I trust the Government will keep an efficient eye on the matter.

(10.51.) MR. KNOX: I wish to draw attention to the Cavan, Leitrim, and Roscommon Railway. The shareholders in that company receive 5 per cent., though they do not make a profit and never hope to. The loss on the working expenses and also the interest on the capital are paid by a grant from the locality as a first charge on the rates. The Directors, therefore, have no interest whatever in keeping the expenses down, neither have the shareholders.

THE CHAIRMAN: This is not germane to the present Vote.

MR. KNOX: This is included amongst the railways.

THE CHAIRMAN: Quite so; but it is not within the power of the Administration to correct the faults the hon. Member complains of.

MR. KNOX: The Department has the power of auditing, and I complain that the audit is not efficiently carried out. The only auditor is the baronial auditor, appointed by the Presentment Sessions; and I have to complain that the baronial auditor is not allowed proper access to the books of the company. There are only two Directors of the company who have anything to do with the district or any interest in keeping down expenses, and the Directors do not ask for tenders for contracts, but give them out among themselves and their friends at extravagant prices—at prices that the Local Government Board would not allow any Board of Guardians to pay. Lord Kingston, who is practically head of the company, is interested in Leitrim, and not in Cavan, and the consequence is that from time to time the burden on Cavan is increased for the benefit of Leitrim. And this is not a grievance felt only by the Nationalists. At the last Assizes the Grand Jury of Cavan directed their solicitor to take proceedings against the company to enforce a proper audit on their behalf. What I would ask is that where such large sums of public money are voted year by year, which it is the direct interest of the Treasury to keep down——

THE CHAIRMAN: It is not competent to discuss that matter on this Vote.

(10.56.) MR. A. O'CONNOR (Donegal, E.): The tone of the Secretary to the Treasury in reference to these railways is one that gave satisfaction, but his explanation appears to me to leave something to be desired. He read out a list of men employed in certain months—from April to the 14th July—and the numbers were certainly considerable, rising from 5,000 to 6,000, 7,000, and between 7,000 and 8,000 per week. The impression conveyed by the right hon. Gentleman's statement is that the Government have, in connection with these railways, done what lies in their power to furnish forth means of subsistence by giving employment to a large number of men. But in regard to th

railways, and the effective work done on them, I gathered from another portion of the right hon. Gentleman's observations that only one-third of the rockwork was completed, and of the brickwork only 5 per cent.—from which I should conclude that the work in connection with the railways, which requires only thoroughly unskilled labour, has been pushed on as much as possible. Probably the whole of it that could be done up to the present date has been completed. But I also conclude that the most expensive part of the work, which requires technical skill, has not yet been substantially taken in hand. Under these circumstances, it occurs to me that the expenditure to be incurred in future, although it will not be so useful for the prevention of distress and famine as that incurred in the past, will prove very considerable, and that the estimates will be considerably exceeded. The right hon. Gentleman has mentioned the fact that in the case of two lines the arrangements have not been satisfactory, but he has not mentioned their names. I hope that the right hon. Gentleman will tell us which these two companies are. As to the railways in Donegal, that is a large district, with a very large population, who suffer more from the want of means of locomotion and communication than the people of other parts of Ireland. The north-west district of Donegal has been left without any steps whatever being taken to open it up. I hope, however, that the line referred to as being in contemplation, but in regard to which the arrangements are not satisfactory, will touch this district. The Chief Secretary has intimated the intention of the Government to push forward further lines in Donegal, and I should like to know is the Gweedore line one of the lines included in that intention; and, if so, how soon are the works to be undertaken?

(11.2.) MR. JACKSON: I did not wish to convey the impression that unsatisfactory arrangements had been made with respect to any of the lines, but the two lines to which he referred were the Claremorris line and the Achill line. I have no reason to think that the sums for which we have contracted would be exceeded by a single shilling. One satisfactory feature of the case is that the large companies, on condition that the Government pay a certain sum, have accepted the full responsibility of completing and working the lines, and we may rely on their carrying out their part of the bargain.

MR. A. O'CONNOR: Is it intended to proceed with the Gweedore line?

*MR. JACKSON: I daresay the hon. Member is aware the Grand Jury have passed a presentment which they must have known would not be accepted. They proposed to limit the guarantee to a period of six years, and it is obvious no Company would undertake to construct a line in that country on a guarantee limited to six years.

(11.5.) MR. A. O'CONNOR: A large number of persons, encouraged by observations made by the Chief Secretary some time since, are looking forward to the starting of works in Donegal. There has been a good deal of surveying and of correspondence, and rival schemes have been put forward for this very extensive and distressed district. Is there not any intention of starting further works to open it up? I quite understood the Chief Secretary to say there was.

MR. A. J. BALFOUR: I have always stated that the railway scheme in Donegal will not be completed, as the funds provided by Parliament are already exhausted. I have undoubtedly said that the time may come when we may add to the railway scheme already completed, but I do not hold out any hope that an additional Vote will be asked for from Parliament during this Session.

MR. JORDAN: There is an impression that the Chief Secretary is about to compel the Sligo and Enniskillen Railway Company to sell their undertaking to the Great Northern Railway Company, and also that it is proposed to get that company to work the Colloony and Claremorris line. I tell him that such an arrangement would be strongly objected to in the districts concerned, because the people there want the Sligo and Enniskillen Line worked by the Claremorris Company.

COLONEL NOLAN: The hon. Member speaks in two characters — in his private capacity (as evidenced by his last remarks, which dealt with local politics) and as representative of the district. I am very glad to find that the

Government is treating with the Great Northern Railway Company, and that they have two strings to their bow in this respect. I want the Great Northern Railway to come direct to the West of Ireland. We want competing lines there.

(11.13.) MR. JORDAN: I deny that this is a question of local politics. I do not think the hon. and gallant Members should interfere in matters which do not concern him. He has admitted he knows nothing about the Great Northern Railway Company: why, then, should he dilate on its merits? If he knew as much about it as I do he would not be so anxious to see it secure the working of any new lines. This is a matter of vital interest to the whole north-west of Ireland. We want to secure direct communication between that district and the large towns and cities of Ireland, and we do not like that the Great Northern Company should hold us in its grasp. We shall fight against that as long as we can.

COLONEL NOLAN: My constituency is affected by this just as much as is my hon. Friend's. I have said I know nothing about the Great Northern line, but we want to get it into the district, so that we may secure better terms from the Midland Company. It appears to me the hon. Member for Clare spoke more as a northern Member that as a western Representative.

MR. P. J. POWER: I think that on an important Vote like this it would be well to have a short statement from the Government giving an account of the work which has been done on the different lines, and of the rate of the wages paid to the men employed. How many lines are in course of construction, and what is the mileage. How many men have been employed? A statement on these points so far from lengthening the Debate would expedite it.

(11.18.) MR. CALDWELL (Glasgow, St. Rollox): I think we are entitled to discuss this matter from a Scotch as well as an Irish point of view. Apparently 125¼ miles of light railway are being constructed in Ireland at a cost of £1,000,000, or over £7,000 a mile, and towards this sum £800,000. I am not saying whether Ireland is or is not entitled to that relief, in view of the distress prevalent in the country, but I cannot allow this enormous sum to be given to Ireland without pointing out that there are similar districts in Scotland which are equally entitled to assistance out of the Imperial purse. When these large sums are granted to Ireland out of the Imperial purse, I think it well to point to the distress in the Western Highlands of Scotland, where railways are required to open up the resources of the country just as much as in Ireland. I do not complain of the £800,000 going to Ireland, but I plead for Scotland being treated by a Unionist Government in a similar spirit of liberality; yet Scotland is only to receive a paltry sum of £50,000 to meet similar distress in the Western Highlands. I think that that is monstrously unfair treatment, bearing in mind the exceptional distress in the crofting counties. Again, the contribution to Scotland is taken out of her share of the Probate Duty, whereas not a single penny is deducted from Ireland's share.

(11.25.) SIR G. CAMPBELL (Kirkcaldy, &c.): I concur with my hon. Friend. I think he was quite right in drawing attention to the excessive liberality of the Government towards Ireland, and its great want of liberality towards Scotland. But I desire to say a few words on behalf of that much despised individual the British taxpayer. It may seem an impertinence for me as a British taxpayer to interfere in this matter, but we have to find the money. The Government have been making these grants to Ireland with great profuseness, and no doubt the Irish Members are wise in not looking a gift horse in the mouth and in accepting these grants without criticising them at any length. But I do not quite like these gifts. We know that, as Mr. Biggar used to tell us, there are too many jobs perpetrated in connection with these railway schemes. I shall be very much surprised if many of the schemes now in hand do not turn out to be jobs, and if experience does not prove that the lines are utterly unable to pay working expenditure. I utter this protest on behalf of that insignificant person the British taxpayer.

(11.30.) MR. MORTON: I do not intend to object to this Vote, but I submit we have embarked on a shockingly bad policy in these matters. I look forward to the day when Ireland

will be allowed to manage her own affairs, and will be expected to defray her own expenditure. I agree with the hon. Member for Glasgow as to what he said of the claims of the crofters, and having visited the crofting districts I think the people there are entitled to help just as much as the Irish. If Ireland had not been reduced by Government mismanagement to the condition in which that country now is, there would be no occasion for Votes of this kind. I think we ought to be ashamed of the results of our government in Ireland. Coercion having failed we find the only way to manage the country is to make extraordinary Votes of public money. So far as I can see, there is no chance of its ever being repaid. I say the system is bad. There are other districts in the United Kingdom besides Ireland. Why should not light railways be built for the benefit of the Scotch crofters, and if the Government have any money to spare, why not give it to the City of Peterborough?

(11.36.) DR. TANNER: I think we ought to have an assurance from the Government that the light railways will be well constructed. If the construction is faulty the money expended will be merely wasted. I cannot say that I sympathise with the hon. Member for Peterborough. He appears to want further railway accommodation for that city. I thought it was already well provided for. But to return to the question of the construction of the light railways, may I point out that faulty construction will entail a great loss on the ratepayers, as was proved in the case of the Kanturk Railway. These lines in the West of Ireland are more or less prospected by the Midland Company and must be carefully watched. We do not want a repetition of the case of the Kanturk line, on which last year there was a loss of 14s. 6d. per mile per week.

*MR. JACKSON: That has nothing to do with this Vote.

DR. TANNER: I know that. I was only citing that as an example to be guarded against. Unless the Government take warning from what occurred in that case, worse results may follow the construction of some of these new lines. I believe the hope of the men at the head of the Midland and other great Railway Companies is that these lines, which are being built at the expense of the public, will finally be incorporated in their undertaking. I do hope the Government will see that the lines are properly constructed, because if they are they will be of great benefit to the country. It is very important that these districts should be opened up. We do not want another *fiasco* like that of the Schull and Skibbereen line.

(11.47.) MR. FLYNN: I agree that under ordinary circumstances it would not be wise to make advances from Imperial funds towards light railways in Ireland. I should much prefer that Ireland should be allowed to manage its own affairs and to develop its own resources. Of course, if this money is forced on Ireland the Irish Members cannot resist it; but I confess that it is not without some humiliation that I see these gifts made. I believe that that feeling is shared by large numbers of Irishmen, who think State charity is degrading. I believe if these things were done with Irish capital the people would benefit to a greater extent, and there would be less jobbery. In regard to the new lines, I hope the Government will see that proper arrangements are made for working them, and that the large Railway Companies will not absorb all the benefits to be derived from them.

*SIR J. COLOMB (Tower Hamlets, Bow, &c.): That has been done.

MR. FLYNN: Well, the Kerry people know nothing of the arrangements which have been made. I do not know whether the hon. and gallant Member gets his information through underground channels, but certainly the public ought to be made acquainted with what has been done. With regard to the guarantees for railways constructed under the Tramways Act——

THE CHAIRMAN: Order, order! That is not relevant to the Vote.

MR. FLYNN: Well, I will content myself with pressing on the Government the importance of making beneficial working arrangements for these new lines. I am glad to see the lines are being constructed. The Irish Members have not opposed or voted against the schemes, although I repeat that it is with a sense of shame and humiliation that we accept these Imperial boons. We should prefer to be able to develop the

resources of our country without such assistance.

(11.56.) COLONEL NOLAN: I entirely disagree with the hon. Gentleman. I do not regard these grants in aid of railways as in the nature of gifts or charity. On the contrary, I look on them as some amount of restitution made by England to Ireland for the excessive taxation, amounting to something like £8,000,000 sterling, that has for many years been drawn from Ireland.

MR. T. W. RUSSELL: Hon. Members below the Gangway who say that they have not opposed the construction of these railways must have forgotten that they once kept the House sitting until daylight in endeavouring to prevent the measure which authorised their construction being carried.

MR. FLYNN: We did that in order to call the attention of the right hon. Gentleman to certain points in which the schemes could be improved.

DR. TANNER: I think the hon. Member for South Tyrone, who is not an Irishman, ought not to make such an assertion. It was utterly uncalled for. All we did was to endeavour to improve the Government schemes, and that was our duty. We are not here simply to sit with our mouths open and to swallow everything that the Government offers us. What we want to do is to make everything practically beneficial to the people we represent. We know perfectly well that these railways are not designed for the benefit of the poor people, but mainly to enrich the landlords of Ireland, who pay nothing towards the construction of the lines. We treat such taunts as those which have come from the hon. Member for South Tyrone in the way they deserve, and that way is with contempt. There are two matters I wish to mention: they occur to me in consequence of the interruption of the hon. and gallant Member (Sir J. Colomb), who I understand occasionally visits the place where he was born—the Kingdom of Kerry. I should like to ask the hon. and gallant Gentleman what is the highest bridge——

THE CHAIRMAN: Order! The hon. Member must be aware he is trifling with the Committee. If he does not cultivate a little more conciseness I shall be obliged to direct him to resume his seat.

DR. TANNER: I desire to put questions in connection with two railways, and I was alluding to a very hurtful remark made by the hon. Member for South Tyrone.

THE CHAIRMAN: Order, order!

DR. TANNER: And I presume in this House we are allowed to answer what is said. But I want to know what is the total liability in connection with the Killorglin and Valencia line and the Headford and Kenmare line? I find that in addition to the sum of £85,000 in connection with the former line, and £50,000 in connection with the latter line, there is a liability in respect of capital of £70,000 and £60,000 respectively. I want some explanation. I always regret being brought into any conflict with the Chair, and if my temper occasionally gets the better of my judgment——

THE CHAIRMAN: Order, order!

DR. TANNER: I was saying that——

THE CHAIRMAN: Order! The hon. Gentleman has put his question: he might allow it to be answered.

DR. TANNER: I shall, of course——

*MR. JACKSON: I think the question can be answered very briefly. The amount of liability is accurately stated on the Estimate.

Question put, and agreed to.

Resolutions to be reported.

CLASS VII.

Motion made, and Question proposed,

"That a sum, not exceeding £160,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for certain expenditure in connection with the Relief of Distress in Ireland."

(12.7.) MR. T. M. HEALY: I think we have arrived at an hour when the Government might reasonably consent to report Progress, and allow this Vote to be taken first thing to-morrow. An important Irish Bill stands as the next Order, and as the House must adjourn at 1 o'clock it is only reasonable we should take that Bill at once.

Motion made, and Question proposed, "That the Chairman do report Pro-

gress, and ask leave to sit again."—(*Mr. T. M. Healy.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It would not be reasonable to enter upon a Vote that would occupy a considerable time, but if hon. Members wish this Vote might be withdrawn, so that we might continue another half-hour with the Votes in Class II.

SIR G. CAMPBELL: I understand the Government are pledged to proceed with the Votes in their order. I do not think it would be right to take Class II. at this time.

MR. T. W. RUSSELL: I hope the Government will consent to report Progress now. There are two important Irish Bills on the Paper, and the Government must bear in mind that they have got a good deal of money to-night.

MR. A. J. BALFOUR: There is no intention of pressing this Vote to-night, nor did my right hon. Friend suggest that we should. The suggestion of my right hon. Friend was that the non-contentious Vote in Class III., which is next in order, should be taken. Of the two important Irish Bills on the Paper only one is to be taken to-night—the Redemption of Rent Bill. It would be a strong order to take the Training Colleges Bill; besides, the hon. Member for West Belfast, who has got Amendments to that Bill on the Paper, is not able to be in his place. The present stage of the Redemption of Rent Bill will not take many minutes, and, therefore, I think we might be permitted to take two or three more Votes.

MR. SYDNEY BUXTON: I do not know what the Chancellor of the Exchequer considers a contentious and a non-contentious Vote, but some of us will occupy some time in discussing Vote 1 in Class III., which contains the salary of the Attorney General.

COLONEL NOLAN: I hope that the Prisons Vote will not be taken on Thursday, as the hon. Member for Cork (Mr. Parnell), who has an important Amendment down to that Vote, has an important engagement in Ireland, which will prevent him from being present in the House on that day.

MR. GOSCHEN: I have just been reminded that the pledge of the Government is to take the Votes in their order, and it would be extremely difficult to make an arrangement to suit the convenience of any hon. Member, however important he may be. But Thursday has been set apart for the discussion of the Lords' Amendments to the Land Purchase Bill, and after they are disposed of, it is not intended to take Supply during the remainder of the sitting, but to proceed with the Bills on the Paper. Therefore, without disturbing the general order of the Votes, the Prisons Vote will not be taken on Thursday.

Question put, and agreed to.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

SUPPLY—REPORT.

Resolutions [20th July] [see page 1773] reported and agreed to.

REDEMPTION OF RENT (IRELAND) BILL.—(No. 377.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed,

In page 1, line 14, after the word "rent," to insert the words "whereupon, if the lessor or grantor, as the case may be, signifies his consent within the prescribed time and in the prescribed manner, including consent to such sum being retained as guarantee deposit as the Land Commission may think necessary, then such redemption shall be effected."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): There is no objection to the Amendment of the hon. and learned Gentleman except to the words "including consent to such sum being retained as guarantee deposit as the Land Commission may think necessary." The only objection to those words is that a clause was inserted in the Land Purchase Bill making it imperative that the Land Commission should in every case retain the guarantee deposit.

(12.20.) MR. KNOX (Cavan, W.): I do not find in the Bill the provision to which the right hon. Gentleman alludes.

MR. MADDEN: Yes; it is imperative upon the Land Commission to retain the guarantee deposit in such cases.

MR. T. M. HEALY (Longford, N.): I went through the Bill with my hon. Friend, and I am bound to say I did not see anything in it corresponding to the statement of the right hon. and learned Gentleman. I would suggest to him that he should let the words go in now, and if afterwards on Report stage we find it is as the right hon. and learned Gentleman says, then the words can be struck out.

MR. MADDEN: I assume that the Bill is as present to the hon. and learned Member's recollection as to mine. Upon the understanding that we may possibly find it expedient to omit the words later, there is no objection to the insertion now.

Question put, and agreed to,

Amendment proposed, in page 1, line 14, after "payment," insert "subject to the Rules of the Land Commission."—(*Mr. T. M. Healy.*)

Amendment agreed to.

MR. MACARTNEY (Antrim, S.): I do not know whether the provision that this section shall not apply to any holding a portion of which has been sub-let already exists, but if it does not, I presume the right hon. Gentleman will not object to my Amendment to that effect.

MR. MADDEN: Yes; the general provisions of the Act of 1881 will apply. Sub-letting, unless of a trivial character, would be excluded, and, therefore, I think the Amendment would be unnecessary.

Amendment proposed,

In page 1, line 19, at end, add, "The signification of consent by the lessor or grantee shall have the same effect as the lodgment of an agreement to purchase under the Purchase of Land (Ireland) Acts, and, except as herein otherwise provided, all subsequent proceedings shall be carried on, and with the like consequences, as upon such an agreement."

Amendment agreed to.

(12.25.) MR. T. M. HEALY: The Amendment I have now to propose is necessary to provide against delays and obstructions which may be placed in the way if the lessee or grantor objects to the redemption, or by a mortgagee or interested party. Such obstruction may be introduced by retarding the investigation of title, and I have known such to arise and delay the elucidation of title for years, it may be from default of solicitor or landlord. It is necessary to provide against this, and therefore I suggest that where, in the opinion of the Land Commission, such delay is unfair or unreasonable the tenant shall not be required to go on paying the unfair rent, but following the precedent set in the 5th section of the Act of 1887 the lessee shall be deemed to be a present tenant.

Amendment proposed,

In page 1, line 22, leave out "the redemption shall not be made but," and insert "or such delay, default, or refusal, not due to the action of the lessee or grantee, arises as is calculated to prevent such redemption, or is, in the opinion of the Land Commission, unreasonable or unfair, then."—(*Mr. T. M. Healy.*)

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think the hon. and learned Gentleman will see that the object of the Bill would be greatly imperilled by the introduction of this Amendment. Undoubtedly, in the opinion of many persons a great concession is made to the leaseholder by allowing him compulsorily to redeem his rent if the landlord refuses to allow any alteration in the terms. If the Amendment were accepted, should there be any delay not necessarily due to the action of the landlord but to the stress of business, the number of cases in Court, the landlord would lose the advantage given him by the Bill, he would, against his own wish, be obliged to keep as a present tenant the man who wished to redeem his holding.

(12.30.) MR. T. M. HEALY: I admit that the Amendment is not felicitously expressed, and is open to the objection of the right hon. Gentleman. I should be quite willing to leave out the words "not due to the action of the lessee or grantee." I submit that the Government ought in some degree to assent to the Amendment. It may happen that the mortgagee may be the cause of the obstruction, he wishing to continue drawing his 5 or 6 per cent. Of course, we cannot express all this in the clause, but I am quite willing to amend the words. Would the right hon. Gentleman agree to accept

words providing against the delay arising from the obstructive action of persons other than the lessor or grantor? I regard this as one of the best Land Bills the Government ever introduced, and that it will be satisfactory to both landlords and tenants, but I wish to prevent a denial of justice through the action of mortgagees and others.

MR. A. J. BALFOUR was inaudible in the Gallery.

MR. T. M. HEALY: I presume the Government will undertake to bring up words of their own, and therefore I ask leave to withdraw my Amendment.

MR. A. J. BALFOUR: I undertake to bring up words going the length I have stated.

Amendment, by leave, withdrawn.

MR. T. M. HEALY: I think the drafting here is not the happiest. "Shall be deemed to be the tenant of the present tenancy" involves two separate applications to the Court. In the first place, the tenant has to go to the Land Commission and get them to declare that his rent is a full agricultural rent, and, having got that done in the prescribed manner, he has to go to the landlord and get an agreement between himself and the landlord. When these processes have been gone through a gale or six months will have gone. Suppose the landlord objects to the prescribed manner. Then, and then only, the tenant is to be deemed the tenant of the present tenancy, and he is to go through the operation of filing a fair rent notice. It appears to me that the original application to the Land Commission ought to be treated *pro tanto* as an application to fix a fair rent.

Amendment proposed,

In page 1, line 23, after "to" to insert "have made the prescribed application under Section 1 of the said Act of 1887, and shall be held to."—(*Mr. T. M. Healy.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 1, line 25, after "1881," to insert "and Section 1 of the said Act of 1887."—(*Mr. T. M. Healy*).

Question, "That those words be there inserted," put, and agreed to.

Clause, as amended, agreed to.

Clause 2 agreed to.

Clause 3.

Amendment proposed, in page 2, line 19, after "means," insert "'The Land Law (Ireland) Act, 1881.' Part V."—(*The Attorney General for Ireland.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed,

In page 2, at end, add "and this Act shall be read and construed with the Land Law (Ireland) Acts and the Land Purchase (Ireland) Acts."—(*Mr. T. M. Healy.*)

Question, "That those words be there added," put, and agreed to.

Clause, as amended, agreed to.

Clause 4 agreed to.

MR. T. M. HEALY: I beg to move the new clause standing in my name. In a great many of the leases there is very frequently a covenant giving the landlord the option to take away an acre or so for the purpose of building. It was held until a recent case that that ousted the jurisdiction of the Land Commission. In a more recent case that view of the law was practically reversed. In the case of a holding of 65 acres the landlord reserved five acres, and the Court of Appeal held, after a long argument, that that ousted the jurisdiction of the Land Commission. The matter remains in very considerable doubt, and it is well it should be cleared up. As to the second part of the clause, let me say I know a case in County Louth where there was a salmon fishery. The right to take salmon was not worth £1 a year, yet the tenant was excluded from the benefits of the Act because the Court had no power to fix a rent on the fishery.

New Clause—

(Jurisdiction of Land Commissioners.)

"The jurisdiction of the Land Commission under the said Acts or this Act shall not be ousted by the existence of a covenant or agreement to surrender portion of the holding for any purpose, nor by the fact that a trivial portion is non-agricultural, if in the opinion of the Land Commission such portion is severable for the purposes of the application,"—(*Mr. T. M. Healy,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."—(*Mr. T. M. Healy.*)

MR. A. J. BALFOUR was inaudible in the Gallery.

MR. T. M. HEALY: I am sorry the Government will not accept the clause. Without it a great many tenants will be excluded.

Amendment, by leave, withdrawn.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 426.]

POST OFFICE ACTS AMENDMENT BILL.

(No. 405.)

(12.45.) Order read for resuming Adjourned Debate on further Amendment to new Clause (Criminal diverting of letters from the addressee) proposed on Consideration, as amended—

"Any person not in the employment of the Postmaster General who wilfully and maliciously, with intent to injure any other person, either opens or causes to be opened any letter which ought to have been delivered to such other person, or does any act or thing whereby the due delivery of such letter to such other person is prevented or impeded, shall be guilty of a misdemeanour, and be liable to a fine not exceeding fifty pounds, or to imprisonment not exceeding six months.

Nothing in this section shall apply to a person who does any act to which this section applies where he is parent or guardian of the person to whom the letter is addressed.

A prosecution shall not be instituted in pursuance of this section except by direction of the Postmaster General.

A letter in this section means a post letter within the meaning of 'The Post Office Protection Act, 1884,' and any other letter which has been delivered by post."—(*Mr. Raikes.*)

And which Amendment was, to leave out from the word "months," in line 7, to the word "A," in line 11.—(*Mr. Raikes.*)

Question again proposed, "That the words proposed to be left out stand part of the Clause."

Amendment, by leave, withdrawn.

Amendment proposed to the Clause, in line 9, after "parent," to insert, "or in the position of a parent."—(*Mr. Raikes.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed to the Clause, in line 10, after the word "addressed," to insert the words "or is acting for him on account of mental or bodily incapacity or infirmity."—(*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I hope my hon. and learned Friend will not press this Amendment at this stage. I undertake that the matter shall be looked into, so that it may be dealt with in another place if necessary.

MR. TOMLINSON (Preston): On that intimation I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. COURTNEY (Cornwall, Bodmin): I should like to leave out lines 11 and 12. I will not press the matter to a Division, but I should like the Amendment to be put.

Amendment proposed to the Clause, in line 10, to leave out from the word "addressed," to "A," in line 13.—(*Mr. Courtney.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. KELLY (Camberwell, N.): I wish the House to remember that the other night it was urged, and urged with considerable force, that if these words are taken out we should be better without the clause. The one single protection against the abuse of a most dangerous clause is that people shall not be dragged up before the Queen's Courts on a charge of tampering with letters unless the Postmaster General has given his consent.

MR. COURTNEY: I am not going to press the Amendment.

MR. KELLY: I trust the Postmaster General will not give way in this matter.

Question put, and agreed to.

Clause, as amended, agreed to.

Amendments made to the Bill.

Bill read the third time, and passed.

TRUSTEE BILL (*Lords*).—(No. 413.)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): After communication with the hon. and learned Gentleman the Member for Stockton (Sir H. Davey) and others, I do not think we should be justified in pressing this Bill this Session, and therefore,

though with regret, I ask that the Order be discharged and the Bill withdrawn.

Order discharged; Bill withdrawn.

FOREIGN MARRIAGES BILL.—(No. 408.)

SECOND READING.

Order for Second Reading read.

DR. TANNER (Cork Co., Mid.): I object.

MR. WOODALL (Hanley): May I appeal to my hon. Friend to allow the Bill to pass: it is a perfectly non-contentious measure.

MR. T. M. HEALY (Longford, N.): I join in the appeal to my hon. Friend, but I am bound to say this Bill shows the folly of passing Bills late at night. A Foreign Marriages Bill was passed last Session, and now we are asked to pass another Bill explaining the first. Why should not the Bill of last year have been properly drawn? This time 12 months we may be asked to pass another Bill amending this one.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The difficulty has not arisen from the drafting of last year's Act, but only from the working of it.

DR. TANNER: If it is the wish of the House that the Bill should be read a second time now, I will not stand in the way.

Bill read a second time, and committed for Thursday.

CONVEYANCING AND LAW OF PROPERTY ACT (1881) AMENDMENT BILL.—(No. 427.)

Considered in Committee.

(In the Committee.)

Clause 3.

It being One of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

And, it being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at one minute after One o'clock.

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l. Read 2ª, and com. to Com. of the whole House *July* 7, 532
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l. Read 1ª* *July* 10, 805
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QUILTER, Mr. W. C., *Suffolk, Sudbury*
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l. Read 1ª* *July* 9, 693
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c. Order for 2R. read; Bill withdrawn *July* 6, 441

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c. Order for 2R. read, and deferred *July* 2, 296
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